



**NASH COUNTY PLANNING BOARD MEETING  
FREDERICK B. COOPER COMMISSIONERS ROOM  
CLAUDE MAYO, JR. ADMINISTRATION BUILDING - THIRD FLOOR  
120 WEST WASHINGTON STREET  
NASHVILLE, NC 27856**

**MONDAY, APRIL 19, 2021 AT 6:30 P.M.**

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**MEETING AGENDA**

- 1. Call to Order.**
- 2. Determination of a Quorum.**
- 3. Approval of the Minutes of the January 19, 2021 Regular Meeting – DELAYED.**
- 4. Approval of the Minutes of the February 15, 2021 Regular Meeting – DELAYED.**
- 5. Approval of the Minutes of the March 15, 2021 Regular Meeting – DELAYED.**
- 6. Review of Public Comment Policy.**
- 7. Conditional Use Permit Request CU-210401.**  
Made by Gideon Solar, LLC to authorize the development of an 80-megawatt photovoltaic solar farm facility on two adjacent tracts of land totaling approximately 420.65 acres and located on the northwest side of Taylors Gin Rd, Castalia, NC 27816 in the A1 (Agricultural) Zoning District.
- 8. Conditional Use Rezoning Request CU-210402.**  
Made by Woodrow Strickland, the property owner, to rezone a 1.52-acre tract of land located south of and immediately adjacent to the existing W.S. Strickland's Body Shop at 9077 S NC Highway 581, Bailey, NC 27807 from R-40 (Single-Family Residential) to RC-CU (Rural Commercial Conditional Use), specifically for a gravel parking area for a vehicle towing and repossession service.
- 9. Text Amendment Request A-210401 – Nash County Unified Development Ordinance.**  
Made to remove the waiver provision from the lot width requirements for residential lots subdivided with direct access to roads with over 1,000 estimated average vehicular trips per day (UDO Article X, Section 10-7, Subsection 10-7.2 F.)

**10. Conditional Use Rezoning Request CU-210403.**

Made by Four Seasons Contractors, LLC to rezone an approximately 82-acre tract of land located on the west side of Red Rd and NC Highway 43, Nashville, NC 27856 from A1 (Agricultural) to RA-20-CU (Medium-Density Residential Conditional Use), specifically for the development of the 74-lot Jones Farm Subdivision.

**11. Conditional Use Rezoning Request CU-210404.**

Made by William Franklin Lamm, the property owner, and ACE Needham LLC, the developer, to rezone a 31.17-acre portion of a tract of land located at the southeast corner of Needham Rd and Whitley Rd, Bailey, NC 27807 from R-40 (Single-Family Residential) to RA-20-CU (Medium-Density Residential Conditional Use), specifically for the development of the 53-lot Whitley Crossing Subdivision.

**12. Major Subdivision Sketch Plan for the Creekside Manor Subdivision.**

Submitted on behalf of Barnes Land Corporation, the property owner, for the development of 55 new residential lots on a 71.11-acre tract of land located on both sides of Selma Rd and Hilliard Rd, Middlesex, NC 27557 in the R-40 (Single-Family Residential) Zoning District.

**13. Other Business.**

**Update on the Board of Commissioners Planning Actions from April 5, 2021:**

**Conditional Use Permit CU-170802 Amendment Request** to permit motor vehicle sales at Browns Truck and Trailer, Inc. located at 2450 W Hornes Church Rd was **APPROVED**.

**Conditional Use Rezoning Request CU-210301** to rezone 148.52 acres on Stoney Hill Church Rd and Whitley Rd to RA-20-CU for the Williams Grove Subdivision was **APPROVED**.

**Conditional Use Rezoning Request CU-210302** to rezone 9.7 acres on Chapman Rd to RA-20-CU for the Williams Ridge Phase IV Subdivision was **APPROVED**.

**Conditional Use Rezoning Request CU-210303** to rezone 58.29 acres on Red Oak Battleboro Rd to RA-20-CU for the Red Oak Battleboro Road Subdivision was **APPROVED**.

**Conditional Use Rezoning Request CU-210304** to rezone 47.05 acres on Old Smithfield Rd to RA-20-CU for the Old Smithfield Road Subdivision was **APPROVED**.

**Conditional Use Rezoning Request CU-210305** to rezone 8.07 acres on W NC Highway 97 to RC-CU for a self-storage warehouse facility was **APPROVED**.

**14. Adjournment.**

# **Nash County Planning Board**

## **Public Comment Policy**

**Adopted March 15, 2021**

1. The Board Chairman will recognize the Planning Director or Senior Planner to present the staff report for each agenda item.
2. The Board Chairman will then recognize individual members of the public, one at a time, who wish to address the Board with regard to that specific agenda item.
3. Each individual will be permitted to speak once per agenda item for a maximum of three (3) minutes. No time may be yielded or transferred from one speaker to another.
4. To avoid repetition, groups of individuals supporting the same position are encouraged to designate a spokesperson to address the Board on their behalf.
5. A three-minute timer will be displayed on the screen in **GREEN**.
6. The timer will turn **YELLOW** when there is one (1) minute of the speaker's time remaining.
7. The timer will **BEEP TWICE** and turn **RED** when there are thirty (30) seconds of the speaker's time remaining.
8. The timer will **BEEP THREE TIMES** when the speaker's time has expired.
9. At the conclusion of the speaker's comments, the Board Chairman will provide an opportunity for the Board members to ask the speaker any clarifying questions regarding their previous comments.
10. After all interested members of the public have spoken, the Board Chairman will recognize the applicant for the agenda item to address the Board and to answer any questions or comments raised by the previous speakers.
11. The Board Chairman reserves the right to call upon anyone present during the Board's discussion of the agenda item if he or she determines that additional information is necessary for the Board's decision.

**NASH COUNTY PLANNING BOARD**  
**CONDITIONAL USE PERMIT REQUEST**  
**STAFF REPORT**

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<b><i>File Number:</i></b>	CU-210401 (Conditional Use Permit Request)
<b><i>Applicant(s):</i></b>	Gideon Solar, LLC (Birdseye Renewable Energy, LLC)
<b><i>Property Owners:</i></b>	Nancy Bunn Bunting, Cynthia G. Wyatt, Sydney Ruffin Griffin, & Stephanie Denise Griffin
<b><i>Location:</i></b>	Northwest Side of Taylors Gin Rd, Castalia, NC 27816
<b><i>Tax ID #:</i></b>	PIN # 288400971920 / Parcel ID # 000142 (Approx. 200.15 Acres) PIN # 288500801629 / Parcel ID # 000368 (Approx. 220.50 Acres)
<b><i>Total Area:</i></b>	Approximately 420.65 Acres
<b><i>Proposed Land Use:</i></b>	Photovoltaic Solar Farm Facility (80 Megawatts AC)
<b><i>Zoning District:</i></b>	A1 (Agricultural)
<b><i>LDP Classification:</i></b>	Rural Growth Area
<b><i>Notice of Public Meeting:</i></b>	Mailed to Property Owners Within 600' on April 8, 2021

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***Description of the Subject Property:***

The subject property consists of two adjacent tracts of land totaling approximately 420.65 acres located on the northwest side of Taylors Gin Road to the east of the Town of Castalia in the A1 (Agricultural) Zoning District.

The southern tract (approximately 200.15 acres) is owned by Nancy Bunn Bunting and the northern tract (approximately 220.50 acres) is owned by Cynthia G. Wyatt, Sydney Ruffin Griffin, & Stephanie Denise Griffin.

The property is undeveloped and partially cleared. It contains an existing electrical transmission line easement and is immediately adjacent to an existing Duke Energy Progress electrical substation site at 5870 Taylors Gin Rd. It is also located directly across the road from the existing Tate Solar Farm at 6035 Taylors Gin Rd as well as the Merriweather Place Subdivision, which consists of ten (10) currently undeveloped lots subdivided in 2003.

The property is located in the Tar-Pamlico River Basin, however, it is not located in a regulated floodplain or a designated watershed protection overlay district. The prospective developer has identified the locations of the existing wetlands and riparian stream buffer areas that shall remain undisturbed.

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***Description of the Permit Request:***

Gideon Solar LLC, the applicant, has submitted Conditional Use Permit Request CU-210401 in order to authorize the development of an 80-megawatt (AC) photovoltaic solar farm facility on the subject property by Birdseye Renewable Energy, LLC.

The proposed facility will be accessed from Taylors Gin Road and will include fenced areas containing rows of ground-mounted solar panel arrays. It will also include a new electrical substation adjacent to the existing electrical transmission line.

The applicant requests authorization to construct the facility on all or portions of the shaded “solar array area” depicted on the site plan. The interior of the facility will include both inverters and battery energy storage systems (BESS) placed as necessary according to the final design, however, the applicant’s proposal stipulates that these components will be located a minimum of at least three hundred (300) feet from the exterior boundary of the subject property. The BESS components will allow the facility to store some of the energy generated during daylight hours in order to stabilize the flow of energy into the surrounding power grid as needed.

The site plan recognizes a fifty (50) foot wide access easement previously established along an existing farm path, which provides access across the northern parcel and which will remain clear and passable during and after the construction of the proposed facility.

The applicant also proposes a twenty-five (25) foot wide landscape buffer along the Taylors Gin Road right-of-way to consist of preserved existing natural vegetation in order to screen the facility from view.

Due to the large size and complexity of the proposed solar farm project as well as the multi-million dollar investment required to upgrade the surrounding electrical infrastructure, the applicant requests approval by the Board of Commissioners of a five (5) year vested right in accordance with N.C.G.S. 160D-108.1(e)(2).

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***TRC Recommendation:***

The Nash County Technical Review Committee (TRC) considered Conditional Use Permit Request CU-210401 on April 1, 2021 and recommended **APPROVAL** based on the following suggested conclusions with supporting findings of fact and subject to the following recommended permit conditions.

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***Suggested Motions:***

**MOTION #1 – RECOMMEND CONCLUSIONS WITH SUPPORTING FINDINGS OF FACT:**

*I move that the Nash County Planning Board recommends **Option 'A' or 'B' (choose one from below)** related to Conditional Use Permit Request CU-210401 for consideration by the Nash County Board of Commissioners.*

**Option 'A': Conclusions with Supporting Findings of Fact for APPROVAL:**

- (1) The proposed development meets all the standards required by the Nash County Unified Development Ordinance, including the specific requirements of Article XI, Section 11-4, Subsection 11-4.72(a) for solar farm facilities because:**
- (a) The proposed site is located in the A1 (Agricultural) Zoning District and a solar farm is a permitted land use in this district with the issuance of a conditional use permit by the Nash County Board of Commissioners.
  - (b) The submitted site plan notes that the solar farm facility structures shall not exceed twenty-five (25) feet in height, as measured from grade at the base of the structure to its highest point.
  - (c) The submitted site plan notes that the solar panel arrays shall be located a minimum of fifty (50) feet from the exterior boundary of the subject property, which will meet or exceed the principal building setback requirements of the A1 (Agricultural) Zoning District in which it will be located.
  - (d) The submitted site plan notes that the solar farm facility shall be enclosed by a chain-link security fence, a minimum of 6-feet in height and topped with barbed wire.
  - (e) The submitted site plan depicts the location of the maximum potential extent of the solar panel array coverage on the subject property, meeting all the required separation distances from the surrounding property lines.
  - (f) The submitted site plan depicts the proposed locations of the fencing, the driveway, the electrical substation, and the landscape screening buffer.
  - (g) The submitted site plan includes scaled drawings with dimensions of both fixed-tilt and tracker style solar collector structures.
  - (h) The submitted site plan identifies areas of the subject property that shall remain undisturbed for the protection of the existing wetlands and riparian stream buffers.
  - (i) The proposed twenty-five (25) foot wide vegetative landscape buffer to be located along the Taylors Gin Road right-of-way shall screen the solar farm facility from view and prevent a visual safety hazard for passing motorists.
  - (j) The proposed solar farm facility shall be decommissioned and removed in accordance with the applicable Ordinance requirements upon a determination that it is no longer in use or no longer being maintained in an operable state of good repair.
- (2) The proposed development will not materially endanger the public health or safety because:**
- (a) The working portion of the solar farm will be fenced and gated to protect both citizens and the facility itself from unauthorized access.

- (b) The solar farm components will be UL listed and will be designed with an anti-reflective coating in order to prevent glare.
- (c) The solar farm must be constructed in accordance with all the applicable construction codes as well as in compliance with all the requirements of various other state and local permits to be issued prior to the construction of the facility.
- (d) All inverters and battery energy storage system (BESS) components of the solar farm will be located a minimum of at least three hundred (300) feet from the exterior boundary of the subject property.

**(3) The proposed development will not substantially injure the value of adjoining or abutting property because:**

- (a) A solar farm facility generates minimal noise.
- (b) A solar farm facility does not generate dust, fumes, odors, or toxic wastes.
- (c) After construction, a solar farm facility generates no additional traffic with the exception of routine maintenance inspections or repairs and typically generates less traffic than an average single-family home or agricultural operation.
- (d) The solar farm facility shall be screened from the view of the public road right-of-way by the proposed vegetative landscape buffer.
- (e) Prior to the construction of the solar farm, the North Carolina Utilities Commission must issue a Certificate of Public Convenience and Necessity, determining the facility to be a public necessity in order to satisfy the need for electrical power in the area.

**(4) The proposed development will be in harmony with the area in which it is to be located because:**

- (a) A solar farm facility has been determined by the Unified Development Ordinance to be a permitted land use (with the required issuance of a conditional use permit) in this A1 (Agricultural) Zoning District, meaning that it may be presumed to be in harmony with the other agricultural and residential land uses typically permitted and found throughout this zoning district.
- (b) A solar farm does not burden other existing infrastructure because it requires no water, sewer, or trash collection services, it generates only minimal traffic, and it does not increase demands on the public school system in the way that a residential development would.

**(5) The proposed development will be in general conformity with the Nash County Land Development Plan because:**

- (a) The Nash County Land Development Plan designates the subject property as a Rural Growth Area.
- (b) While the Land Development Plan does not specifically comment on solar farms as a potential land use, solar farm facilities are compatible with its recommendations for the Rural Growth Area because:

- i) A solar farm facility does not require services available only in more urban areas such as public water and/or sewer service.
- ii) A solar farm facility would be consistent with the low-density residential and agricultural development pattern that typically characterizes the Rural Growth Area.
- iii) The renewable, sustainable, alternative energy source provided by a solar farm facility is consistent with the overall goal of Nash County to promote economic growth and development.

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**Option 'B': Conclusions with Supporting Findings of Fact for DENIAL:**

To recommend denial of the conditional use permit request, the Board needs to identify any one or more of the five standards listed above that the proposed development fails to satisfy and then adopt findings of fact to support that conclusion based upon information presented at the public meeting.

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**MOTION #2 – RECOMMEND APPROVAL OR DENIAL OF THE CONDITIONAL USE PERMIT REQUEST:**

*I move that the Nash County Planning Board recommends **APPROVAL or DENIAL (choose one)** of Conditional Use Permit Request CU-210401 for consideration by the Nash County Board of Commissioners, subject to the following recommended permit conditions:*

- (1) The solar farm facility shall be developed on the subject property in accordance with the submitted application materials, the approved site plan, and all applicable requirements of the Nash County Unified Development Ordinance.
- (2) All inverters and battery energy storage systems (BESS) shall be located a minimum of three hundred (300) feet from the exterior boundary of the subject property.
- (3) The twenty-five (25) foot wide vegetative landscape screening buffer depicted on the approved site plan shall be preserved, maintained, replaced, or supplemented with additional plantings as necessary in order to provide effective visual screening of the solar farm facility from the public right-of-way of Taylors Gin Road.
- (4) The fifty (50) foot wide access easement depicted along the existing farm path on the northern subject parcel shall remain clear and passable both during and after the construction of the proposed solar farm facility.
- (5) A permanent modular trailer may be located on the solar farm facility site, subject to the standard zoning and permitting requirements applicable to that type of structure.

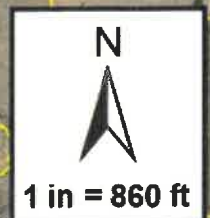


- (6) Upon approval of the conditional use permit, the applicant shall submit the required permit recording fee made payable to the Nash County Register of Deeds.
  - (7) Prior to the construction of the solar farm facility, the following additional permits and documents shall be submitted, reviewed, approved and/or issued, as applicable:
    - (a) A revised, final site plan depicting the specific construction details of the solar farm facility;
    - (b) The manufacturer's specifications of the actual battery energy storage systems (BESS) to be utilized on the solar farm site as well as a related safety and management plan;
    - (c) A decommissioning plan for the removal of the solar farm facility;
    - (d) A Certificate of Public Convenience and Necessity (CPCN) issued by the North Carolina Utilities Commission;
    - (e) Sedimentation & Erosion Control Plan Approval, Riparian Stream Buffer Determinations, and Stream Crossing Approvals issued by the N.C. Department of Environmental Quality and/or the U.S. Army Corps of Engineers;
    - (f) Driveway Permit(s) issued by the N.C. Department of Transportation; and
    - (g) Tar-Pamlico River Basin Overlay District Stormwater Permit, Zoning Permit, and Electrical Permit issued by the Nash County Planning & Inspections Department.
  - (8) A vested right is established upon the approval of this conditional use permit and its associated site plan (as may be amended from time to time during the development process), which shall remain valid for a period of five (5) years and which is warranted due to the large size and complexity of the proposed solar farm facility project as well as the multi-million dollar investment required to upgrade the surrounding electrical infrastructure in accordance with N.C.G.S. 160D-108.1(e)(2).
  - (9) The solar farm facility shall be removed, at the expense of the landowner(s) of record or such other responsible party as identified by the lease agreement, within one hundred eighty (180) days of a determination by the Zoning Administrator that the facility has been abandoned or is no longer being maintained in an operable state of good repair in accordance with the requirements of UDO Article XI, Section 11-4, Subsection 11-4.72(a)(G).
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**Conditional Use Permit Request CU-210401**  
**Gideon Solar, LLC - Solar Farm Facility**

**Proposed  
Gideon Solar Farm  
Approx.  
420.65 Acres**

Taylor's Gin Rd







**NASH COUNTY PLANNING BOARD**  
**CONDITIONAL USE REZONING REQUEST**  
**STAFF REPORT**

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<b>File Number:</b>	CU-210402 (Conditional Use Rezoning Request)
<b>Owner / Applicant:</b>	Woodrow Strickland
<b>Engineer:</b>	Stocks Engineering, P.A.
<b>Location:</b>	South of 9077 S NC Highway 581, Bailey, NC 27807
<b>Tax ID #:</b>	PIN # 276500373056 / Parcel ID # 001526
<b>Total Area to be Rezoned:</b>	1.52 Acres
<b>Current Zoning District:</b>	R-40 (Single-Family Residential)
<b>Proposed Zoning District:</b>	RC-CU (Rural Commercial Conditional Use)
<b>Proposed Land Use:</b>	Gravel Parking for Vehicle Towing & Repossession Service
<b>LDP Classification:</b>	Suburban Growth Area
<b>Notice of Public Meeting:</b>	Mailed to Property Owners within 600 Feet on April 8, 2021

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***Description of the Subject Property:***

The subject property is a 1.52-acre tract of land owned by Woodrow Strickland and located south of and immediately adjacent to the existing W.S. Strickland's Body Shop at 9077 S NC Highway 581, Bailey, NC 27807 in the R-40 (Single-Family Residential) Zoning District.

The undeveloped property is north of the Town of Bailey and also located directly across from and immediately adjacent to the existing single-family homes at 9114 & 9131 S NC Highway 581.

The site is located in the Neuse River Basin. It is not located in a regulated floodplain and it does not appear to include any riparian stream buffers. The subject property is located in the WS-III-BW Watershed Protection Overlay District.

Nash County public water service is available to the subject property via an existing twelve-inch (12") waterline installed along the S NC Highway 581 road right-of-way.

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***Description of the Rezoning Request:***

The property owner has submitted Conditional Use Rezoning Request CU-210402 to rezone the subject property from R-40 (Single-Family Residential) to RC-CU (Rural Commercial Conditional Use), specifically for the development of a gravel parking area. The rezoning

request was submitted in anticipation of the potential purchase and use of the subject property as well as the adjacent W.S. Strickland's Body Shop by Unlimited Recovery LLC, a vehicle towing and repossession service.

The RC (Rural Commercial) Zoning District "*is primarily intended to accommodate limited retail, office, service, and medium density residential uses. The RC District is typically located in the intersection area of rural roads and is intended to provide moderate intensity shopping and services.*" (UDO Article IX, Section 9-1, Subsection 9-1.4, A.)

Due to the "conditional" nature of this rezoning request, the subject property may only be developed in accordance with the proposed site plan as well as in compliance with any reasonable site-specific conditions attached to its approval to address the development's compatibility with the surrounding properties or the applicable Ordinance requirements.

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***Description of the Proposed Site Plan:***

Stocks Engineering, P.A. has submitted the proposed site plan, which depicts the new gravel parking area connected to the existing paved parking of the adjacent body shop and surrounded by both existing and proposed fencing.

Per the applicable Ordinance requirements, the site plan includes a proposed ten (10) foot wide planted landscape screening buffer along the road right-of-way and a proposed twenty-five (25) foot wide planted landscape screening buffer along the southern and eastern sides of the subject property.

An area in the rear of the subject property is reserved for the installation of a potential stormwater control measure (SCM) to accommodate water runoff from the new parking area.

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***Land Development Plan Consistency:***

Conditional Use Rezoning Request CU-210402 is mostly consistent with the recommendations of the Nash County Land Development Plan (LDP.)

- (1) The LDP designates the subject property as Suburban Growth Area.
- (2) The LDP supports the development of very limited commercial land uses within the Suburban Growth Area that meet specific locational criteria, including: frontage along and access to either a major state highway or secondary road, location at a major intersection, proximity to similar land uses, and spatial separation from non-compatible land uses such as existing residential development.

- (3) The conditional use nature of the request qualifies it as a “limited” commercial land use because the development of the property would be restricted to a gravel parking area only and it may only be developed in compliance with the specifically approved site plan and any attached conditions.
- (4) The subject property has frontage along and direct access to S NC Highway 581, a major state highway.
- (5) The subject property is located near the intersection of S NC Highway 581 and Strickland Road to the north.
- (6) The subject property is located immediately adjacent to the existing W.S. Strickland’s Body Shop, which is a similar commercial land use.
- (7) The subject property does not have significant spatial separation from the already existing residential development located directly across the road and immediately adjacent to the site’s southern boundary, however, the proposed planted landscape screening buffers should help to mitigate the impact of the gravel parking area.

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***Spot Zoning Analysis:***

Conditional Use Rezoning Request CU-210402 would not be considered “spot zoning” because it would be an expansion of the already existing RC (Rural Commercial) Zoning District located immediately adjacent to the north of the subject property that was previously established for the W.S. Strickland’s Body Shop.

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***10% / 70% Watershed Development Option:***

Because the subject property is located in the WS-III-BW Watershed Protection Overlay District, the nonresidential development of the site would be limited to a maximum allowable built-upon area of only 24% of the total lot area. However, the submitted site plan proposes a total built-upon area of approximately 63.2% of the total lot area, exceeding that limitation.

UDO Article XII, Section 12-1, Subsection 12-1.11 provides for the 10% / 70% Watershed Development Option. This option grants the Board of Commissioners authority, on a case-by-case basis, to increase the maximum allowable built-upon area to up to 70% of the total lot area when engineered stormwater control measures (such as a detention pond) are utilized by the developer, but the Board may only exercise this option on 10% of the total land area contained within this watershed district.

The total area of the WS-III-BW Watershed Protection Overlay District located within Nash County is approximately 1,923.03 acres, so 10% of that area would be 192.30 acres. The only

previously recorded approval of this development option by Nash County was for the Floods Chapel Dollar General located at 6245 S NC Highway 581 (1.76 acres) in September 2019, so the Board retains the right to approve the option for projects on the remaining 99.08% (190.54 acres) of the total eligible area.

The total lot area for this proposed commercial project is only 1.52 acres. If the Board approves the use of the 10% / 70% Watershed Development Option for this project, then 98.29% (189.02 acres) of the total available area will still remain eligible for the approval of future nonresidential development projects.

Section II, Policy Recommendation #3 of the Nash County Land Development Plan establishes points-based project selection criteria for the 10% / 70% Watershed Development Option. Proposed projects are assigned a point score based on several factors including their conformance with the Land Development Plan, their potential contribution to the tax base, the number of new full-time jobs created, the quality of employee benefits provided, whether they will re-use existing buildings, and the availability of public utilities.

A score of at least 40 points is recommended before a project is qualified for consideration. This proposed commercial project exceeds that minimum threshold with a total score of 57 out of a possible 75 points and is therefore recommended for consideration by the Board for the approval of the 10% / 70% Watershed Development Option.

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***TRC Recommendation:***

The Nash County Technical Review Committee (TRC) considered Conditional Use Rezoning Request CU-210402 on April 1, 2021 and recommended **APPROVAL** based on its determination that the rezoning request is reasonable, in the public interest, mostly consistent with the recommendations of the Nash County Land Development Plan, and not “spot zoning.”

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***Suggested Motions:***

**MOTION #1 – RECOMMEND A CONSISTENCY STATEMENT:**

*I move that the Nash County Planning Board recommends **Consistency Statement ‘A’ or ‘B’** (choose one from below) related to Conditional Use Rezoning Request CU-210402 for consideration by the Nash County Board of Commissioners.*

**Consistency Statement ‘A’ (For APPROVAL):**

Conditional Use Rezoning Request CU-210402 is reasonable and in the public interest because:

- (1) The request is mostly consistent with the recommendations of the Nash County Land Development Plan (LDP):



- (a) The LDP designates the subject property as Suburban Growth Area.
  - (b) The LDP supports the development of very limited commercial land uses within the Suburban Growth Area that meet specific locational criteria, including: frontage along and access to either a major state highway or secondary road, location at a major intersection, proximity to similar land uses, and spatial separation from non-compatible land uses such as existing residential development.
  - (c) The conditional use nature of the request qualifies it as a “limited” commercial land use because the development of the property would be restricted to a gravel parking area only and it may only be developed in compliance with the specifically approved site plan and any attached conditions.
  - (d) The subject property has frontage along and direct access to S NC Highway 581, a major state highway.
  - (e) The subject property is located near the intersection of S NC Highway 581 and Strickland Road to the north.
  - (f) The subject property is located immediately adjacent to the existing W.S. Strickland’s Body Shop, which is a similar commercial land use.
  - (g) The subject property does not have significant spatial separation from the already existing residential development located directly across the road and immediately adjacent to the site’s southern boundary, however, the proposed planted landscape screening buffers should help to mitigate the impact of the gravel parking area.
- (2) The request is not “spot zoning” because it is an expansion of the already existing RC (Rural Commercial) Zoning District located immediately adjacent to the north of the subject property that was previously established for the W.S. Strickland’s Body Shop.

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**Consistency Statement ‘B’ (For DENIAL):**

Conditional Use Rezoning Request CU-210402 is mostly consistent with the recommendations of the Nash County Land Development Plan, however, it is not reasonable and/or not in the public interest and/or would be unreasonable “spot zoning” because: **(List reasons.)**

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**MOTION #2 – RECOMMEND APPROVAL OR DENIAL OF THE ZONING MAP AMENDMENT:**

*I move that the Nash County Planning Board recommends **APPROVAL or DENIAL (choose one)** of Conditional Use Rezoning Request CU-210402 to rezone the subject property from R-40 (Single-Family Residential) to RC-CU (Rural Commercial Conditional Use) for consideration by the Nash County Board of Commissioners.*

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**MOTION #3 – RECOMMEND APPROVAL OR DENIAL OF THE 10% / 70% WATERSHED DEVELOPMENT OPTION REQUEST:**



*I move that the Nash County Planning Board recommends **APPROVAL or DENIAL (choose one)** of the request to exercise the 10% / 70% Watershed Development Option for the development of the subject property located in the WS-III-BW Watershed Protection Overlay District, increasing the maximum allowable built-upon area from 24% up to a maximum of 70% of the total lot area for consideration by the Nash County Board of Commissioners.*

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**MOTION #4 – RECOMMEND APPROVAL OR DENIAL OF THE CONDITIONAL USE PERMIT:**

*I move that the Nash County Planning Board recommends **APPROVAL or DENIAL (choose one)** of Conditional Use Permit CU-210402 to authorize the development of a gravel parking area on the subject property based on the following suggested conclusions with supporting findings of fact and subject to the following recommended development conditions for consideration by the Nash County Board of Commissioners.*

**Conclusions with Supporting Findings of Fact:**

The proposed development of the gravel parking area on the subject property:

- (1) Will satisfy the applicable requirements of the Nash County Unified Development Ordinance** based on the review of the proposed site plan;
- (2) Will not materially endanger the public health or safety** provided that the facility is developed in accordance with all the applicable design standards and safety requirements;
- (3) Will not substantially injure the value of adjoining or abutting property** because the proposed ten (10) foot-wide planted landscape screening buffer along the road right-of-way and the proposed twenty-five (25) foot-wide planted landscape screening buffer along the southern and eastern sides of the subject property will mitigate the impact of the facility on the adjacent properties;
- (4) Will be in harmony with the area in which it is to be located** because the subject property is immediately adjacent to the existing W.S. Strickland's Body Shop, which is a similar commercial land use; and
- (5) Will be in general conformity with the Nash County Land Development Plan** for the reasons established in the consistency statement adopted in relation to Conditional Use Rezoning Request CU-210402.

**Development Conditions:**

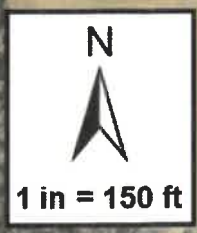
- (1) The subject property is approved for the commercial development of a gravel parking area only.
  - (2) The subject property shall be developed in accordance with the approved site plan only.
  - (3) The ten (10) foot-wide and twenty-five (25) foot-wide vegetative landscape screening buffers depicted on the approved site plan shall be planted, maintained, replaced, and/or supplemented as necessary in order to provide effective visual screening of the gravel parking area.
  - (4) Prior to the construction of the gravel parking area, the following additional permits and documents shall be submitted, reviewed, approved and/or issued, as applicable:
    - (a) Sedimentation & Erosion Control Plan Approval issued by the N.C. Department of Environmental Quality;
    - (b) Driveway Permit issued by the N.C. Department of Transportation; and
    - (c) Zoning Permit & Watershed Protection Overlay District Stormwater Permit issued by the Nash County Planning & Inspections Department.
-

**Conditional Use Rezoning Request CU-210402  
Property of Woodrow Strickland  
Aerial Photograph**



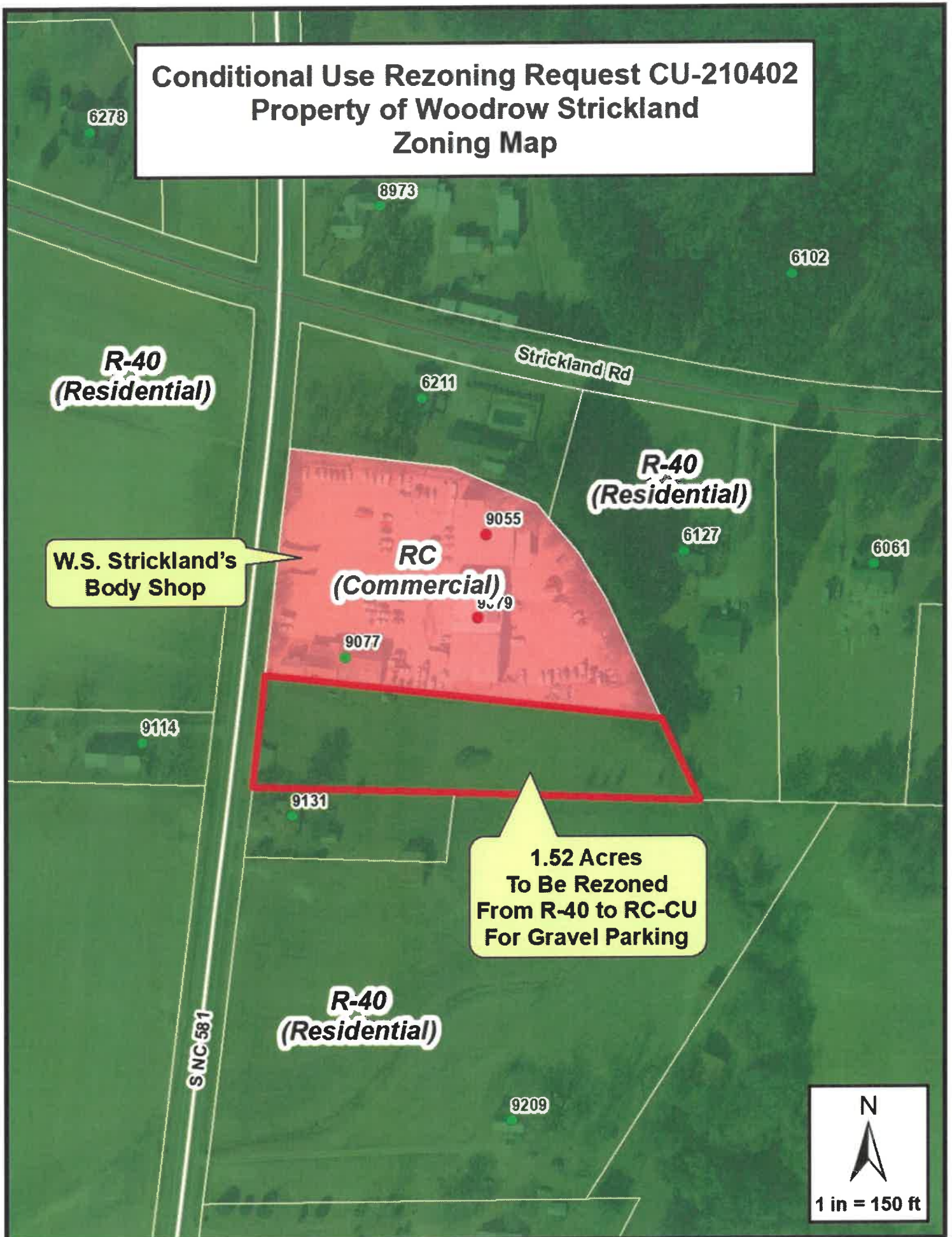
**W.S. Strickland's  
Body Shop**

**1.52 Acres  
To Be Rezoned  
From R-40 to RC-CU  
For Gravel Parking**

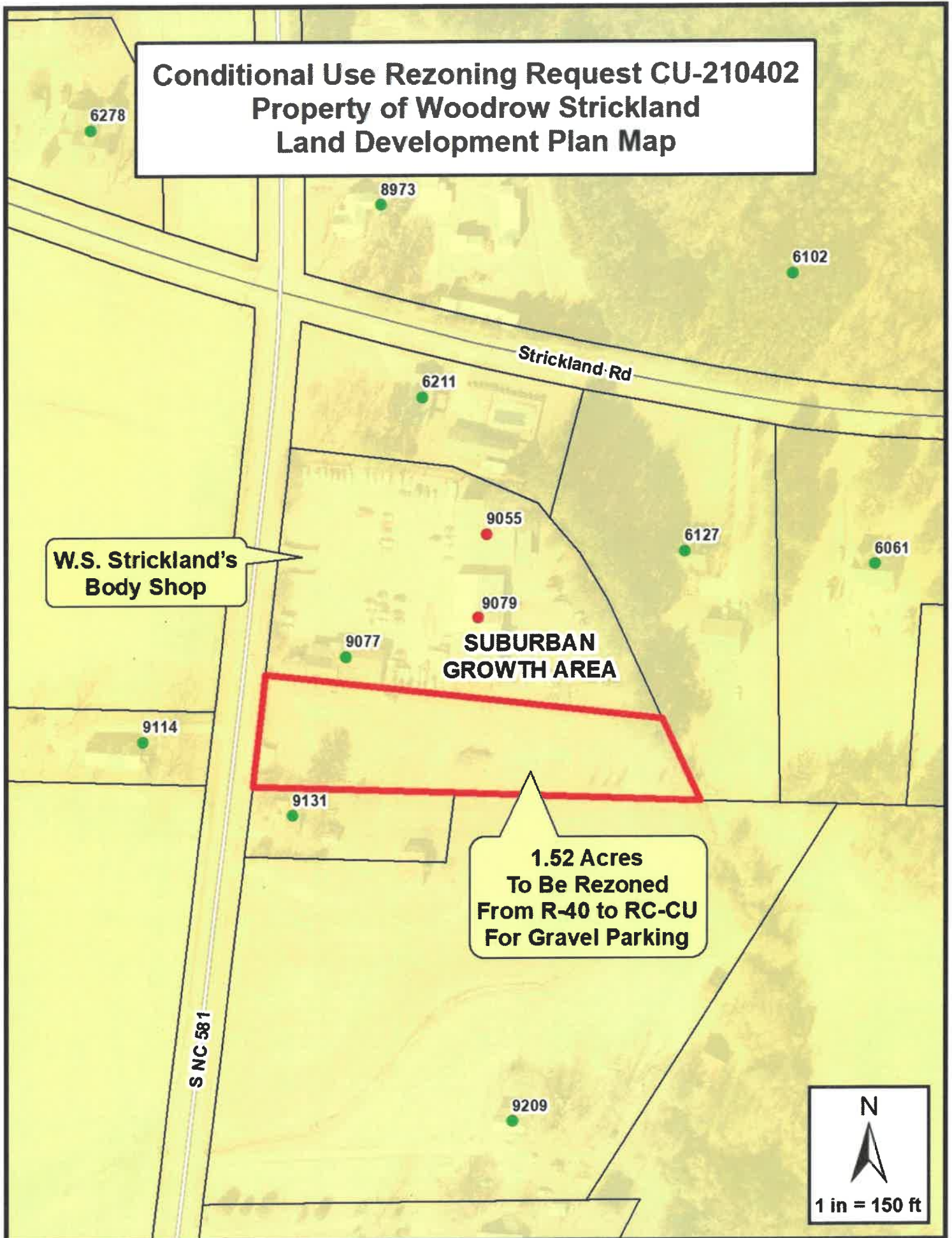




**Conditional Use Rezoning Request CU-210402**  
**Property of Woodrow Strickland**  
**Zoning Map**



**Conditional Use Rezoning Request CU-210402  
Property of Woodrow Strickland  
Land Development Plan Map**





*Milford Sub*

NORTH CAROLINA  
STATE SEAL  
JAN 1984  
MILFORD SUB  
3/12/2008

SHEETCH  
PLAN

PI GROUPS

4/1/71 THE RESPONSE

TITLE NO. 2001-214

1002 60-LSL 1'-6"

SCALE NONE

CE-01

# WS-III-BW Watershed Protection Overlay District 10% / 70% Watershed Development Option

**Site #1**  
**Dollar General**  
**6245 S NC Highway 581**  
**(1.76 Acres)**

**Site #2**  
**W.S. Strickland's**  
**Body Shop**  
**9077 S NC Highway 581**  
**(1.52 Acres)**

**WS-III-BW Watershed**  
**Protection Overlay District**  
**Total Area: 1,923.03 Acres**  
**(10% = 192.30 Acres)**

Wilson County



1 in = 7,000 ft

WS-III-BW Watershed Protection Overlay District 10% / 70% Development Option (UDO Article XII, Section 12-1, Subsection 12-1.11)				
Proposed Project: Gravel Parking Expansion for W.S. Strickland's Body Shop, Inc. at 9077 S NC Highway 581, Bailey, NC 27807				
Project Selection Criteria (Based on LDP Policy Recommendation #3)	Proposed Project	Possible Points	Project Score	
(1) Conformance with County LDP & Other Official Plans/Policies	Yes - Mostly Conforms	10	7	
(2) Significant Contribution to Tax Base				
Between \$250,000 to \$500,000 Private Investment	No	5	0	
\$500,000 or More Private Investment	Yes - Estimated \$800,000	10	10	
(3) Provision of Full-Time Jobs with Benefits				
Between 1 to 25 Full-Time Permanent Jobs within 2 Years	Yes - 4 to 6 Jobs	10	10	
26 or More Full-Time Permanent Jobs within 2 Years	No	20	0	
Full-Time Employee Benefits:				
Health Insurance	Yes	5	5	
Retirement Benefits	No	5	0	
Paid Vacation Leave	Yes	5	5	
Paid Sick Leave	Yes	5	5	
(4) Re-use of Existing Building/Development	Yes	5	5	
(5) Served by or Capable of Connection to Public Water and/or Sewer	Yes - Public Water	10	10	
Total Points*		75	57	

\*Minimum Score of 40 Points Recommended for Project Consideration

	Acres	Percent
Area of WS-III-BW Watershed Overlay District Located in Nash County	1,923.03	
Area Eligible for the Use of the 10%/70% Development Option (10%)	192.30	100.00%
Area Previously Approved for the Use of the 10%/70% Development Option	1.76	0.92%
Area Requested for the W.S. Strickland's Body Shop Gravel Parking Expansion	1.52	0.79%
Area Remaining for the Future Use of the 10%/70% Development Option	189.02	98.29%



**NASH COUNTY PLANNING BOARD**  
**TEXT AMENDMENT REQUEST - UNIFIED DEVELOPMENT ORDINANCE**  
**STAFF REPORT**

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**File Number:** A-210401 (Text Amendment Request)  
**Applicant:** Nash County Planning  
**Affected UDO Section:** Article X, Section 10-7, Subsection 10-7.2 (F)  
**Purpose:** To remove the waiver provision from the lot width requirements for residential lots subdivided with direct access to roads with over 1,000 estimated average vehicular trips per day.

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***Current Requirements for Lots Along Heavily Traveled Roads:***

UDO Article X, Section 10-7, Subsection 10-7.2 (F) requires additional lot width for new residential lots subdivided with direct access to roads with over 1,000 estimated average vehicular trips per day for traffic safety purposes.

The additionally required lot width ranges from one and a half (1.5) times up to two (2) times as much width as would be typically required in a given zoning district, based on the overall proposed area of the lot. This additional lot width requirement is intended to reduce the total number of lots that may be subdivided along heavily traveled roads as well as to increase the amount of space between driveways.

This section also includes a specific provision allowing the Board of Commissioners to waive these additional lot width requirements in cases where a developer either demonstrates a physical hardship or offers an alternative design that would provide equal or better performance.

Both the Planning Board and the Board of Commissioners have determined in previous cases that the use of shared driveway access easements along these heavily traveled roads provided "equal or better performance" that justified a waiver of these additional lot width requirements because the same amount of separation distance would be maintained between each driveway.

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***Description of the Proposed Text Amendment:***

As development activity in the County's jurisdiction has increased over the last year, the use of this waiver justification to subdivide residential lots directly along heavily traveled roads has become more common.

The resulting subdivisions have demonstrated that while this design does effectively maintain space between driveways, it does not effectively reduce the overall number of lots subdivided

along the heavily traveled roads and, therefore, it does not actually provide equal or better performance than the standard requirements of the Ordinance.

For that reason, Nash County Planning has proposed the following text amendment to remove the waiver provision from the lot width requirements for residential lots subdivided with direct access to roads with over 1,000 estimated average vehicular trips per day.

**The approval and adoption of the proposed text amendment would be anticipated to have the following results:**

- (1) It would remove the expectation that these particular lot width requirements are more eligible for or deserving of the issuance of a waiver than any other subdivision requirements of the Ordinance;**
- (2) It would reduce the overall number of lots subdivided along heavily traveled roads;**
- (3) It would create a greater incentive for developers to subdivide more lots along newly constructed interior roads;**
- (4) It would reduce the potential for conflict between individual adjacent lot owners required to share a single driveway; and**
- (5) It would increase the cost of development by reducing the number of lots that may be subdivided and/or sold before a developer must invest in the construction of a new interior road.**

It is important to note that this text amendment would not affect the general ability of the Board of Commissioners to grant waivers of the standard subdivision requirements when they are justified due to either a physical hardship, a demonstration of equal or better performance, or an unintentional error as provided for elsewhere in UDO Article X, Section 10-8.

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***Proposed Text Amendment (Revisions Highlighted):***

**NASH COUNTY UNIFIED DEVELOPMENT ORDINANCE  
ARTICLE X – SUBDIVISIONS: PROCEDURES AND STANDARDS  
10-7 SUBDIVISION STANDARDS  
10-7.2 Lot Dimensions and Standards**

**(F) Lots on Roads with Capacity Deficiencies**

Subdivisions shall not be approved that propose individual residential lots with direct vehicular access to roads that are recognized as having significant traffic mobility concerns as identified by the NCDOT Functional Classification System including all Major Arterials; Minor Arterials; Major Collectors; and Minor Collectors with a current

ADT over 1,000. (ADT shall be calculated by using the latest NCDOT published data plus 3% for each year in which current information is not available and then adding 10 trips per lot proposed in the subdivision.)

Exceptions:

- Lots may be approved abutting these roads provided that the lot accesses directly onto a proposed interior street that is part of an approved, overall sketch plan of the property. Once interior lots are proposed for the subdivision, the proposed street shall be constructed to the appropriate standard (either public or private); or
- Lots may be developed that propose direct vehicular access to these roads provided that:
  1. The minimum lot width shall at least be doubled; and
  2. The property may not be further subdivided below the double frontage; and
  3. Only one principal structure is allowed per lot; or
- Lots may be developed that propose direct vehicular access to these roads provided that:
  1. The minimum lot width shall at least be 1.5 times the minimum for the zoning district in which the property is located; and
  2. For every 1' (foot) of frontage less than 2.0 times the amount of minimum required frontage, the minimum lot size shall be increased by 1,000 square feet; and
  3. Only one principal structure is allowed per lot; or
- ~~Lots may be developed that propose direct vehicular access provided that the proposed subdivision is accompanied by a written request for waiver in accordance with Section 10-8.2 demonstrating a physical hardship or equal or better performance (ex. turn lane) and as approved by the Board of Commissioners; or~~
- Lots may be developed that propose direct vehicular access to these roads and that satisfy the standard dimensional requirements for the zoning district in which the property is located (without any additionally required lot width or lot area) provided that the resulting lots contain existing principal structures legally constructed or placed prior to May 2, 2005 - the original effective date of subsection (F). The subdivision plat shall include a note stating: "No additional driveways or points of vehicular access shall be permitted for the lot(s) shown hereon." (Amended 10/3/2016, A-160901)

The Nash County Land Development Plan does not specifically address the subdivision of lots along heavily traveled roads, so the proposed text amendment is neither consistent nor inconsistent with the recommendations of the plan.

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***TRC Recommendation:***

The Nash County Technical Review Committee (TRC) considered Text Amendment Request A-210401 on April 8, 2021 and recommended **APPROVAL** based the determination that while shared driveways do effectively maintain space between driveways, they do not offer equal or better performance than the standard Ordinance requirements because they do not effectively reduce the overall number of lots subdivided along heavily traveled roads.

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***Suggested Motions:***

**MOTION #1 – RECOMMEND A CONSISTENCY STATEMENT:**

*I move that the Nash County Planning Board recommends **Consistency Statement ‘A’ or ‘B’ (choose one from below)** related to Text Amendment Request A-210401 for consideration by the Nash County Board of Commissioners.*

**Consistency Statement ‘A’ (For APPROVAL):**

Text Amendment Request A-210401 is reasonable, in the public interest, and neither consistent nor inconsistent with the recommendations of the Nash County Land Development Plan because the plan does not specifically address the subdivision of lots along heavily traveled roads.

--- OR ---

**Consistency Statement ‘B’ (For DENIAL):**

Text Amendment Request A-210401 is not reasonable and/or not in the public interest and/or not consistent with the recommendations of the Nash County Land Development Plan because: **(List reasons.)**

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**MOTION #2 – RECOMMEND APPROVAL OR DENIAL OF THE TEXT AMENDMENT:**

*I move that the Nash County Planning Board recommends **APPROVAL or DENIAL (choose one)** of Text Amendment Request A-210401 to remove the waiver provision from the lot width requirements for residential lots subdivided with direct access to roads with over 1,000 estimated average vehicular trips per day.*

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**NASH COUNTY PLANNING BOARD**  
**CONDITIONAL USE REZONING REQUEST**  
**STAFF REPORT**

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<b>File Number:</b>	CU-210403 (Conditional Use Rezoning Request)
<b>Type of Plat:</b>	Major Subdivision Sketch Plan
<b>Subdivision Name:</b>	Jones Farm Subdivision
<b>Owner / Applicant:</b>	Four Seasons Contractors, LLC
<b>Engineer:</b>	Stocks Engineering, P.A.
<b>Location:</b>	West Side of Red Rd & NC Highway 43, Nashville, NC 27856
<b>Tax ID #:</b>	PIN # 381400374380 / Parcel ID # 023632
<b>Total Area to be Rezoned:</b>	Approximately 82 Acres
<b>Current Zoning District:</b>	A1 (Agricultural)
<b>Proposed Zoning District:</b>	RA-20-CU (Medium-Density Residential Conditional Use)
<b>LDP Classification:</b>	Split – Suburban Growth Area & Rural Commercial Area
<b>Proposed Land Use:</b>	Residential Subdivision (74 New Lots)
<b>Road Improvements:</b>	± 4,610 Linear Feet of Proposed New Public Right-of-Way
<b>Water Supply:</b>	Nash County Public Water System (Proposed Extension)
<b>Wastewater Disposal:</b>	Individual Private Onsite Septic Systems
<b>Notice of Public Meeting:</b>	Mailed to Property Owners within 600 Feet on April 8, 2021

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**Description of the Subject Property:**

The subject property is an approximately 82-acre tract of land owned by Four Seasons Contractors, LLC and located on the west side of Red Rd and NC Highway 43, Nashville, NC 27856 immediately west of the municipal limits of the Town of Red Oak in the A1 (Agricultural) Zoning District.

The property is partially cleared and currently undeveloped. It is located in the Tar-Pamlico River Basin, but it is not located within a regulated floodplain or a designated watershed protection overlay district. The site does include a 50-foot wide riparian stream buffer along the rear of the property, which would limit the allowable land disturbance around the banks of the stream itself.

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**Description of the Rezoning Request:**

The property owner has submitted Conditional Use Rezoning Request CU-210403 to rezone the subject property from A1 (Agricultural) to RA-20-CU (Medium-Density Residential Conditional Use), specifically for the development of the 74-lot Jones Farm Subdivision.

The RA-20 (Medium-Density Residential) Zoning District *"is primarily intended to accommodate single-family detached dwellings in areas where public water and/or public sewer services are available or where soil characteristics allow for medium-density development"* (UDO Article IX, Section 9-1, Subsection 9-1.2, E1.)

**Approval of the rezoning request would have the following four substantial impacts on the subject property:**

- (1) The required minimum lot area would be reduced by half from 40,000 square feet to 20,000 square feet, doubling the potential permitted residential density.**
- (2) There are sixty-three (63) land uses that are permitted for development under some circumstances in the current A1 Zoning District, that would no longer be permitted for development in the proposed RA-20-CU Zoning District, including duplexes, double-wide manufactured homes, single-wide manufactured homes, and manufactured home parks.**
- (3) The subject property may only be developed in accordance with the proposed site plan, which in this case would be the sketch plan for the Jones Farm Subdivision.**
- (4) Due to the "conditional" nature of this rezoning, reasonable site-specific conditions addressing the development's compatibility with the surrounding properties and its compliance with the applicable Ordinance requirements may be attached to the approval of the request with the consent of the applicant.**

---

***Land Development Plan Consistency:***

Conditional Use Rezoning Request CU-210403 is consistent with the recommendations of the Nash County Land Development Plan (LDP) because:

- (1) The LDP designates the subject property as Suburban Growth Area and Rural Commercial Area.
- (2) The LDP supports the rezoning of property located within the Suburban Growth Area where public water service is available to either the RA-30 or RA-20 Zoning Districts at the Board's discretion.

- (3) The subject property has access to Nash County public water service via a proposed extension of an existing eight-inch (8") waterline installed along the Red Oak Blvd / NC Highway 43 public right-of-way.
- (4) Permitting higher density residential development will help to accommodate the significant residential growth anticipated by the LDP for the Suburban Growth Area.
- (5) Although the LDP primarily designates Rural Commercial Areas to encourage the development of limited commercial business and/or light industrial land uses at key road intersections, it also supports the development of residential land uses in these areas.

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***Spot Zoning Analysis:***

Conditional Use Rezoning Request CU-210403 would not be considered "spot zoning" because:

- (1) Approval of the request will permit smaller minimum lot areas and increased residential development density, but the new zoning district is also much more restrictive in terms of permitted land uses than the current zoning district.
- (2) The large size of the subject property (approximately 82 acres) demonstrates that approval of the request will establish a new zoning district within which multiple residential lots may be subdivided, rather than creating a small, isolated area of distinct zoning.
- (3) The subject property has access to existing public water service.
- (4) The request is consistent with the recommendations of the Nash County Land Development Plan as established above.
- (5) Due to the "conditional" nature of the rezoning request, the subject property may only be developed in accordance with the approved sketch plan for the Jones Farm Subdivision.

---

***Description of the Proposed Subdivision Sketch Plan:***

Stocks Engineering, P.A. has submitted a proposed sketch plan for the Jones Farm Subdivision to serve as the required site plan for the conditional use rezoning request.

The sketch plan proposes the development of seventy-four (74) new residential lots on the subject property. Three (3) lots will be accessed directly from NC Highway 43 and the other seventy-one (71) lots will be accessed from three (3) proposed new interior roads.

The plan includes one stub road to the immediately adjacent property to the south in order to provide for interior connectivity with future development, provided that further study of the



adjacent property does not reveal environmental features such as wetlands or riparian stream buffers that would render the proposed connection impractical.

All the proposed lots either meet or exceed the 20,000 square foot minimum lot area and 100 foot minimum lot width requirements of the requested RA-20 Zoning District.

Lot 75 is a common area lot also reserved for the development of any stormwater control measures that may be required for the subdivision.

The design includes a cluster box unit (CBU) mailbox kiosk as required by the U.S. Postal Service that is located on a portion of Lot 60 designated as an easement for shared access.

The developer will be required to construct new waterlines as necessary to connect each new lot to the existing Nash County Public Water System.

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***TRC Recommendation:***

The Nash County Technical Review Committee (TRC) considered Conditional Use Rezoning Request CU-210403 on April 1, 2021 and recommended **APPROVAL** based on its determination that the rezoning request is reasonable, in the public interest, consistent with the recommendations of the Nash County Land Development Plan, and not “spot zoning.”

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***Suggested Motions:***

**MOTION #1 – RECOMMEND A CONSISTENCY STATEMENT:**

*I move that the Nash County Planning Board recommends **Consistency Statement ‘A’ or ‘B’ (choose one from below)** related to Conditional Use Rezoning Request CU-210403 for consideration by the Nash County Board of Commissioners.*

**Consistency Statement ‘A’ (For APPROVAL):**

Conditional Use Rezoning Request CU-210403 is reasonable and in the public interest because:

- (1) The request is consistent with the recommendations of the Nash County Land Development Plan (LDP) because:
  - (a) The LDP designates the subject property as Suburban Growth Area and Rural Commercial Area.
  - (b) The LDP supports the rezoning of property located within the Suburban Growth Area where public water service is available to either the RA-30 or RA-20 Zoning Districts at the Board’s discretion.



- (c) The subject property has access to Nash County public water service via a proposed extension of an existing eight-inch (8") waterline installed along the Red Oak Blvd / NC Highway 43 public right-of-way.
  - (d) Permitting higher density residential development will help to accommodate the significant residential growth anticipated by the LDP for the Suburban Growth Area.
  - (e) Although the LDP primarily designates Rural Commercial Areas to encourage the development of limited commercial business and/or light industrial land uses at key road intersections, it also supports the development of residential land uses in these areas.
- (2) The request is not considered "spot zoning" because:
- (a) Approval of the request will permit smaller minimum lot areas and increased residential development density, but the new zoning district is also much more restrictive in terms of permitted land uses than the current zoning district.
  - (b) The large size of the subject property (approximately 82 acres) demonstrates that approval of the request will establish a new zoning district within which multiple residential lots may be subdivided, rather than creating a small, isolated area of distinct zoning.
  - (c) The subject property has access to existing public water service.
  - (d) The request is consistent with the recommendations of the Nash County Land Development Plan as established above.
  - (e) Due to the "conditional" nature of the rezoning request, the subject property may only be developed in accordance with the approved sketch plan for the Jones Farm Subdivision.

--- OR ---

**Consistency Statement 'B' (For DENIAL):**

Conditional Use Rezoning Request CU-210403 is consistent with the recommendations of the Nash County Land Development Plan, however, it is not reasonable and/or not in the public interest and/or would be unreasonable "spot zoning" and/or would be incompatible with the specific proposed location because: **(List reasons.)**

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**MOTION #2 – RECOMMEND APPROVAL OR DENIAL OF THE ZONING MAP AMENDMENT:**

*I move that the Nash County Planning Board recommends **APPROVAL** or **DENIAL** (choose one) of Conditional Use Rezoning Request CU-210403 to rezone the subject property from A1 (Agricultural) to RA-20-CU (Medium-Density Residential Conditional Use) for consideration by the Nash County Board of Commissioners.*

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**MOTION #3 – RECOMMEND APPROVAL OR DENIAL OF THE CONDITIONAL USE PERMIT:**

*I move that the Nash County Planning Board recommends **APPROVAL or DENIAL (choose one)** of Conditional Use Permit CU-210403 to authorize the development of the subject property for the Jones Farm Subdivision based on the following suggested conclusions with supporting findings of fact and subject to the following recommended development conditions for consideration by the Nash County Board of Commissioners.*

**Conclusions with Supporting Findings of Fact:**

The proposed development of the Jones Farm Subdivision on the subject property:

- (1) Will satisfy the applicable requirements of the Nash County Unified Development Ordinance** based on the review of the proposed subdivision sketch plan;
- (2) Will not materially endanger the public health or safety** provided that the subdivision is developed in accordance with all the applicable design standards and safety requirements;
- (3) Will not substantially injure the value of adjoining or abutting property** because the conditional use nature of the request will require the subject property to be developed only in accordance with the approved subdivision sketch plan and any other specifically attached conditions;
- (4) Will be in harmony with the area in which it is to be located** because the proposed residential subdivision will be similar to other residential land uses already permitted in the surrounding area; and
- (5) Will be in general conformity with the Nash County Land Development Plan** for the reasons established in the consistency statement adopted in relation to Conditional Use Rezoning Request CU-210403.

**Development Conditions:**

- (1)** The subject property shall only be developed in accordance with the approved subdivision sketch plan for the Jones Farm Subdivision.
- (2)** The subject property may be developed for any of the land uses as permitted in the RA-20 (Medium-Density Residential) Zoning District in accordance with the standard requirements and procedures established for that district by the Nash County Unified Development Ordinance.
- (3)** All residential lots subdivided from the subject property shall be served by the Nash County Public Water System, which shall be extended by the developer as necessary.

- (4) The developer shall submit a stream buffer determination issued by the N.C. Department of Environmental Quality, Division of Water Resources for the subject property and shall adjust the design of the subdivision sketch plan accordingly.
  - (5) The proposed stub road providing potential connectivity with future development on the immediately adjacent property to the south may be removed if it can be demonstrated that environmental features such as wetlands or riparian stream buffers present on the adjacent property would render the proposed connection impractical.
  - (6) Significant or substantial modifications or revisions to the approved design of the subdivision sketch plan may require additional review by the Nash County Technical Review Committee and the Nash County Planning Board as well as re-approval by the Nash County Board of Commissioners at the discretion of the Zoning Administrator.
-

**Conditional Use Rezoning Request CU-210403  
Property of Four Seasons Contractors, LLC  
Aerial Photograph**

**Approx. 82 Acres  
To Be Rezoned  
From A1  
To RA-20-CU For  
Jones Farm Subdivision  
(74 Lots)**

NC 43

Wollett Mill Rd

Red Rd

Red Oak Blvd

7536

7426



1 in = 400 ft



**Conditional Use Rezoning Request CU-210403  
Property of Four Seasons Contractors, LLC  
Zoning Map**

**A1  
(Agricultural)**

**Approx. 82 Acres  
To Be Rezoned  
From A1  
To RA-20-CU For  
Jones Farm Subdivision  
(74 Lots)**

**Red Oak Zoning**

Wollett Mill Rd

Red Rd

7536

7426

Red Oak Blvd



1 in = 400 ft

**Conditional Use Rezoning Request CU-210403  
Property of Four Seasons Contractors, LLC  
Land Development Plan Map**

**SUBURBAN  
GROWTH AREA**

**RURAL  
GROWTH  
AREA**

**Approx. 82 Acres  
To Be Rezoned  
From A1  
To RA-20-CU For  
Jones Farm Subdivision  
(74 Lots)**

**RURAL  
COMMERCIAL  
AREA**

NC 43

Wollett Mill Rd

Red Rd

7536

7426

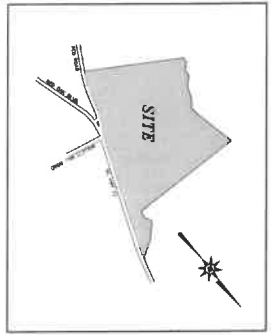
Red Oak Blvd

N



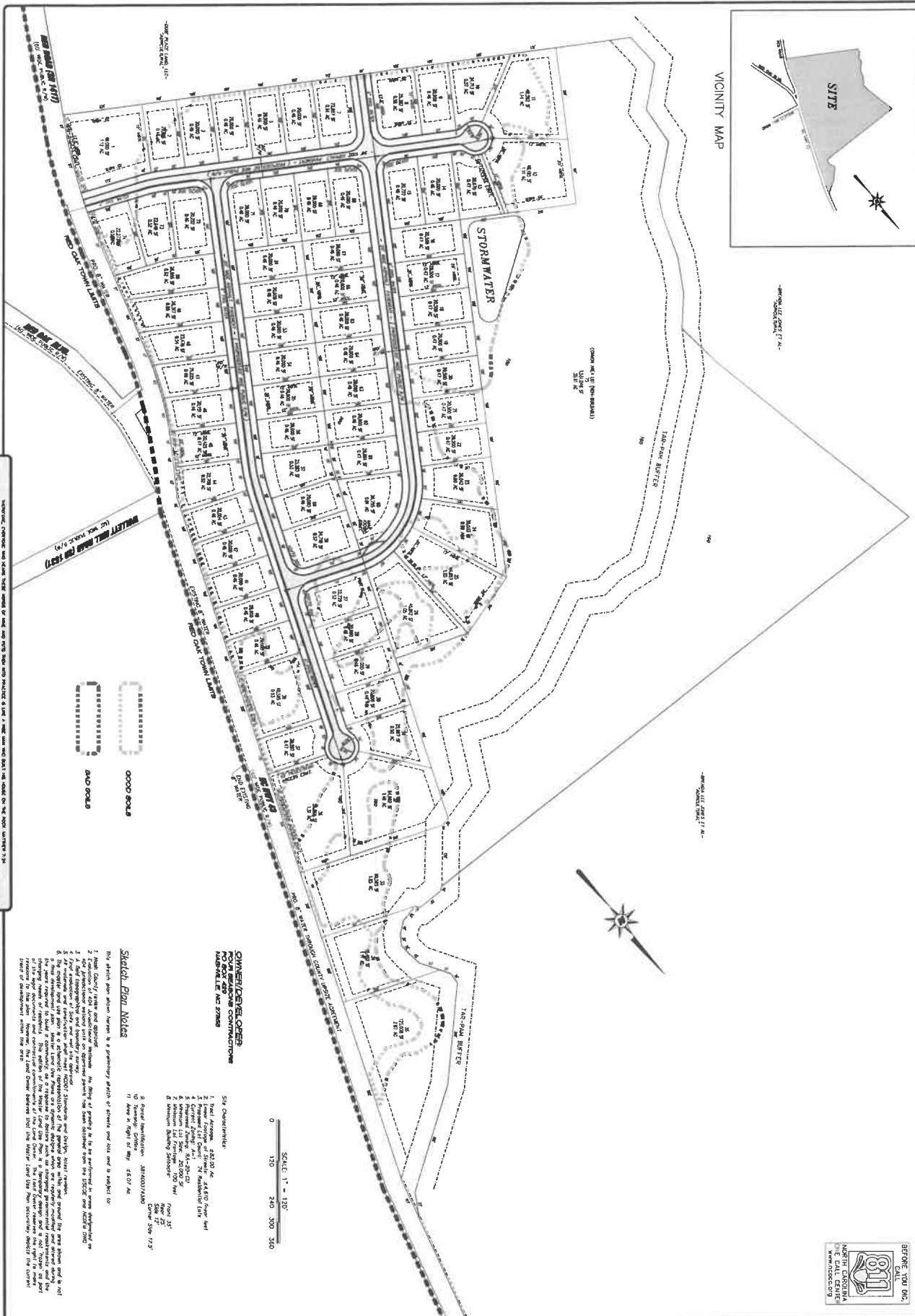
1 in = 400 ft



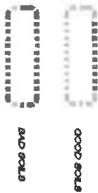


VICINITY MAP

STOCKS ENGINEERING, P.C.  
NASHVILLE, TN 37203



STOCKS ENGINEERING, P.C. HAS PREPARED THIS SKETCH PLAN FOR THE JONES FARM SUBDIVISION. THIS SKETCH PLAN IS NOT A FINAL PLAN AND SHOULD NOT BE USED FOR ANY OTHER PURPOSES.



# Sketch Plan Notes

1. All lots shown herein are to be subdivided into lots as shown on this sketch plan.
2. All lots shown herein are to be subdivided into lots as shown on this sketch plan.
3. All lots shown herein are to be subdivided into lots as shown on this sketch plan.
4. All lots shown herein are to be subdivided into lots as shown on this sketch plan.
5. All lots shown herein are to be subdivided into lots as shown on this sketch plan.
6. All lots shown herein are to be subdivided into lots as shown on this sketch plan.
7. All lots shown herein are to be subdivided into lots as shown on this sketch plan.
8. All lots shown herein are to be subdivided into lots as shown on this sketch plan.
9. All lots shown herein are to be subdivided into lots as shown on this sketch plan.
10. All lots shown herein are to be subdivided into lots as shown on this sketch plan.

## OWNER/DESIGNER'S NOTES

1. The property is located in the City of Nashville, Tennessee.
2. The property is located in the City of Nashville, Tennessee.
3. The property is located in the City of Nashville, Tennessee.
4. The property is located in the City of Nashville, Tennessee.
5. The property is located in the City of Nashville, Tennessee.
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8. The property is located in the City of Nashville, Tennessee.
9. The property is located in the City of Nashville, Tennessee.
10. The property is located in the City of Nashville, Tennessee.

SCALE: 1" = 120'

CE-01

STOCKS ENGINEERING, P.C.  
NASHVILLE, TN 37203

SKETCH PLAN for  
JONES FARM SUBDIVISION  
NASH COUNTY, NORTH CAROLINA

STOCKS ENGINEERING  
BOX EAST WASHINGTON STREET  
NASHVILLE, TN 37203  
WWW.STOCKSENGINEERING.COM



**NASH COUNTY PLANNING BOARD**  
**CONDITIONAL USE REZONING REQUEST**  
**STAFF REPORT**

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<b>File Number:</b>	CU-210404 (Conditional Use Rezoning Request)
<b>Type of Plat:</b>	Major Subdivision Sketch Plan with Subdivision Waiver Request
<b>Subdivision Name:</b>	Whitley Crossing Subdivision
<b>Property Owner / Applicant:</b>	William Franklin Lamm
<b>Developer / Applicant:</b>	ACE Needham, LLC
<b>Land Surveyor / Engineer:</b>	Joyner Keeny, PLLC
<b>Location:</b>	Southeast Corner of Needham Rd & Whitley Rd, Bailey, NC 27807
<b>Tax ID #:</b>	PIN # 277500434168 / Parcel ID # 106124 (Portion)
<b>Total Area to be Rezoned:</b>	31.17 Acres
<b>Current Zoning District:</b>	R-40 (Single-Family Residential)
<b>Proposed Zoning District:</b>	RA-20-CU (Medium-Density Residential Conditional Use)
<b>LDP Classification:</b>	Suburban Growth Area
<b>Proposed Land Use:</b>	Residential Subdivision (53 New Lots)
<b>Road Improvements:</b>	2,378 Linear Feet of Proposed New Public Right-of-Way
<b>Water Supply:</b>	Nash County Public Water System (Proposed Extension)
<b>Wastewater Disposal:</b>	Individual Private Onsite Septic Systems
<b>Waiver Justification:</b>	Shared Driveway Access Easements
<b>Notice of Public Meeting:</b>	Mailed to Property Owners within 600 Feet on April 8, 2021

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**Description of the Subject Property:**

The subject property is a 31.17-acre portion of a tract of land owned by William Franklin Lamm and located at the southeast corner of Needham Rd and Whitley Rd, Bailey, NC 27807 in the R-40 (Single-Family Residential) Zoning District.

The property is northeast of the Town of Bailey in the area known as the Green Pond Community. It is partially wooded and currently undeveloped.

The property is located north of and immediately adjacent to the 148.52 acres recently rezoned on April 5, 2021 to RA-20-CU (Medium-Density Residential Conditional Use) for the development of the 207-lot Williams Grove Subdivision (Case File #CU-210301.)



The site is located in the Neuse River Basin and in the WS-III-PA Watershed Protection Overlay District, meaning that for water quality protection purposes, no lots may be subdivided with less than 20,000 square feet of area. The property is not located in a regulated floodplain and it does not appear to include any riparian stream buffers.

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***Description of the Rezoning Request:***

The property owner along with the prospective developer, ACE Needham LLC, has submitted Conditional Use Rezoning Request CU-210404 to rezone the subject property to RA-20-CU (Medium-Density Residential Conditional Use), specifically for the development of the 53-lot Whitley Crossing Subdivision.

The RA-20 (Medium-Density Residential) Zoning District “*is primarily intended to accommodate single-family detached dwellings in areas where public water and/or public sewer services are available or where soil characteristics allow for medium-density development*” (UDO Article IX, Section 9-1, Subsection 9-1.2, E1.)

**Approval of the rezoning request would have the following four substantial impacts on the subject property:**

- (1) The required minimum lot area would be reduced by half from 40,000 square feet to 20,000 square feet, doubling the potential permitted residential density.**
- (2) The following nine (9) land uses, which are permitted for development under some circumstances in the current R-40 Zoning District, would no longer be permitted for development under the proposed RA-20-CU Zoning District: double-wide manufactured homes, rural family occupations, radio or communication towers over 60 feet in height, solar farms, non-hazardous solid waste disposal collection sites, utility field offices, water treatment plants, horse shows, and/or turkey shoots.**
- (3) The subject property may only be developed in accordance with the proposed site plan, which in this case would be the sketch plan for the Whitley Crossing Subdivision.**
- (4) Due to the “conditional” nature of this rezoning, reasonable site-specific conditions addressing the development’s compatibility with the surrounding properties and its compliance with the applicable Ordinance requirements may be attached to the approval of the request with the consent of the applicant.**

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***Land Development Plan Consistency:***

Conditional Use Rezoning Request CU-210404 is consistent with the recommendations of the Nash County Land Development Plan (LDP) because:

- (1) The LDP designates the subject property as Suburban Growth Area.
- (2) The LDP supports the rezoning of property located within the Suburban Growth Area where public water service is available to either the RA-30 or RA-20 Zoning Districts at the Board's discretion.
- (3) The subject property has access to Nash County public water service via an existing six-inch (6") waterline installed along the Needham Road public right-of-way and an existing four-inch (4") waterline installed along the Whitley Road public right-of-way.
- (4) Permitting higher density residential development will help to accommodate the significant residential growth anticipated by the LDP for the Suburban Growth Area.

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***Spot Zoning Analysis:***

Conditional Use Rezoning Request CU-210404 would not be considered "spot zoning" because it would be an expansion of the immediately adjacent RA-20-CU (Medium-Density Residential Conditional Use) Zoning District recently established to the south for the development of the Williams Grove Subdivision.

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***Description of the Proposed Subdivision Sketch Plan:***

Joyner Keeny, PLLC has submitted a proposed sketch plan for the Whitley Crossing Subdivision to serve as the required site plan for the conditional use rezoning request.

The sketch plan proposes the development of fifty-three (53) new residential lots on the subject property. Eight (8) lots will be accessed directly from Needham Road, ten (10) lots will be accessed directly from Whitley Road, and the other thirty-five (35) lots will be accessed from three (3) proposed new interior roads. The plan provides internal connectivity with the recently approved Williams Grove Subdivision to the south as well as a stub road to the immediately adjacent property to the east to allow for further internal connectivity with future development.

All the proposed lots either meet or exceed the 20,000 square foot minimum lot area and 100 foot minimum lot width requirements of the requested RA-20 Zoning District.

The design includes a cluster box unit (CBU) mailbox kiosk location as required by the U.S. Postal Service.

The developer will be required to construct new waterlines as necessary to connect each new lot to the existing Nash County Public Water System.

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***Description of the Subdivision Waiver Request:***

With the addition of the previously approved Williams Grove Subdivision and the proposed Whitley Crossing Subdivision, Whitley Road is now estimated to average over 1,000 vehicular trips per day as demonstrated below.

**Whitley Road (State Road #1957)**

Latest NCDOT Traffic Count Performed in February 2021:	168
62 Proposed New Williams Grove Lots x 10 Additional Daily Trips Each:	+620
45 Proposed New Whitley Crossing Lots x 10 Additional Daily Trips Each:	+450
<b>New Average Daily Traffic (ADT):</b>	<b>1,238</b>

UDO Article X, Section 10-7, Subsection 10-7.2 (F) requires either additional lot width for new residential lots subdivided with direct access to roads with over 1,000 estimated average vehicular trips per day for traffic safety purposes or the approval of a subdivision waiver by the Board of Commissioners based on a demonstration of a physical hardship or an alternative design that would provide equal or better performance.

Lots 9-10 & Lots 13-20 are proposed to have direct access to Whitley Road, however, they do not include the required additional lot width.

**Therefore, the developer has requested a waiver of the required additional lot width for these lots on the grounds that the proposed five (5) shared driveways will result in equal or better performance in the furtherance of the purposes of the Ordinance because it will ensure comparable separation distances between the proposed driveways for traffic safety.**

If the waiver is denied, the developer would need to reduce the number of lots proposed with direct access to Whitley Road in accordance with the standard requirements of the Ordinance.

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***TRC Recommendation:***

The Nash County Technical Review Committee (TRC) considered Conditional Use Rezoning Request CU-210404 on April 1, 2021 and recommended **APPROVAL** based on its determination that the rezoning request is reasonable, in the public interest, consistent with the recommendations of the Nash County Land Development Plan, and not “spot zoning.”

However, the TRC also noted that approval of the requested subdivision waiver would be **INCONSISTENT** with proposed Text Amendment Request A-210401 because it does not actually reduce the number of lots to be subdivided with direct access to the heavily traveled road.

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***Suggested Motions:***

**MOTION #1 – RECOMMEND A CONSISTENCY STATEMENT:**

*I move that the Nash County Planning Board recommends **Consistency Statement ‘A’ or ‘B’ (choose one from below)** related to Conditional Use Rezoning Request CU-210404 for consideration by the Nash County Board of Commissioners.*

**Consistency Statement ‘A’ (For APPROVAL):**

Conditional Use Rezoning Request CU-210404 is reasonable and in the public interest because:

- (1) The request is consistent with the recommendations of the Nash County Land Development Plan (LDP) because:
  - (a) The LDP designates the subject property as Suburban Growth Area.
  - (b) The LDP supports the rezoning of property located within the Suburban Growth Area where public water service is available to either the RA-30 or RA-20 Zoning Districts at the Board’s discretion.
  - (c) The subject property has access to Nash County public water service via an existing six-inch (6”) waterline installed along the Needham Road public right-of-way and an existing four-inch (4”) waterline installed along the Whitley Road public right-of-way.
  - (d) Permitting higher density residential development will help to accommodate the significant residential growth anticipated by the LDP for the Suburban Growth Area.
- (2) The request is not “spot zoning” because it is an expansion of the immediately adjacent RA-20-CU (Medium-Density Residential Conditional Use) Zoning District recently established to the south for the development of the Williams Grove Subdivision.

--- OR ---

**Consistency Statement ‘B’ (For DENIAL):**

Conditional Use Rezoning Request CU-210404 is consistent with the recommendations of the Nash County Land Development Plan, however, it is not reasonable and/or not in the public interest and/or would be unreasonable “spot zoning” and/or would be incompatible with the specific proposed location because: **(List reasons.)**

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**MOTION #2 – RECOMMEND APPROVAL OR DENIAL OF THE ZONING MAP AMENDMENT:**



*I move that the Nash County Planning Board recommends **APPROVAL** or **DENIAL** (choose **one**) of Conditional Use Rezoning Request CU-210404 to rezone the subject property from R-40 (Single-Family Residential) to RA-20-CU (Medium-Density Residential Conditional Use) for consideration by the Nash County Board of Commissioners.*

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**MOTION #3 – RECOMMEND APPROVAL OR DENIAL OF THE SUBDIVISION WAIVER REQUEST:**

*I move that the Nash County Planning Board recommends **APPROVAL** or **DENIAL** (choose **one**) of the subdivision waiver request made in relation to the proposed sketch plan for the Whitley Crossing Subdivision to allow five (5) shared driveways for Lots 9-10 & Lots 13-20 along Whitley Road instead of the additional lot width required by the Ordinance along roads with over 1,000 estimated average vehicular trips per day based on a determination that the shared driveways will result in equal or better performance in the furtherance of the purposes of the Ordinance.*

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**MOTION #4 – RECOMMEND APPROVAL OR DENIAL OF THE CONDITIONAL USE PERMIT:**

*I move that the Nash County Planning Board recommends **APPROVAL** or **DENIAL** (choose **one**) of Conditional Use Permit CU-210404 to authorize the development of the subject property for the Whitley Crossing Subdivision based on the following suggested conclusions with supporting findings of fact and subject to the following recommended development conditions for consideration by the Nash County Board of Commissioners.*

**Conclusions with Supporting Findings of Fact:**

The proposed development of the Whitley Crossing Subdivision on the subject property:

- (1) Will satisfy the applicable requirements of the Nash County Unified Development Ordinance** based on the review of the proposed subdivision sketch plan;
- (2) Will not materially endanger the public health or safety** provided that the subdivision is developed in accordance with all the applicable design standards and safety requirements;
- (3) Will not substantially injure the value of adjoining or abutting property** because the conditional use nature of the request will require the subject property to be developed only in accordance with the approved subdivision sketch plan and any other specifically attached conditions;

- (4) **Will be in harmony with the area in which it is to be located** because the proposed residential subdivision will be similar to other, previously approved residential developments in the surrounding area; and
- (5) **Will be in general conformity with the Nash County Land Development Plan** for the reasons established in the consistency statement adopted in relation to Conditional Use Rezoning Request CU-210404.

**Development Conditions:**

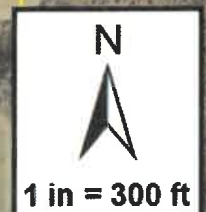
- (1) The subject property shall only be developed in accordance with the approved subdivision sketch plan for the Whitley Crossing Subdivision.
- (2) The subject property may be developed for any of the land uses as permitted in the RA-20 (Medium-Density Residential) Zoning District in accordance with the standard requirements and procedures established for that district by the Nash County Unified Development Ordinance.
- (3) All residential lots subdivided from the subject property shall be served by the Nash County Public Water System, which shall be extended by the developer as necessary.
- (4) All new road names proposed on the subdivision sketch plan shall be reviewed and approved by Nash County Emergency Services prior to their official assignment.
- (5) Any recorded final subdivision plats depicting Lots 9-10 or Lots 13-20 shall include the following subdivision waiver notation:

“This subdivision is approved subject to the waiver of the standards of the Nash County Unified Development Ordinance (UDO) Article X, Section 10-7, Subsection 10-7.2 (F) “Lots on Roads with Capacity Deficiencies” granted by the Nash County Board of Commissioners on May 3, 2021 on the grounds that the waiver will result in equal or better performance in the furtherance of the purposes of the Ordinance in accordance with UDO Article X, Section 10-8 “Waivers.” The lots depicted hereon with direct access to the Whitley Road public right-of-way shall be restricted to the use of the designated private access easements for shared driveways only and no additional driveways shall be permitted or constructed along the Whitley Road public right-of-way.”

- (6) Significant or substantial modifications or revisions to the approved design of the subdivision sketch plan may require additional review by the Nash County Technical Review Committee and the Nash County Planning Board as well as re-approval by the Nash County Board of Commissioners at the discretion of the Zoning Administrator.
-

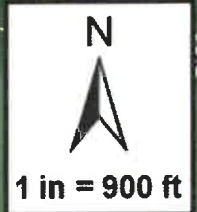
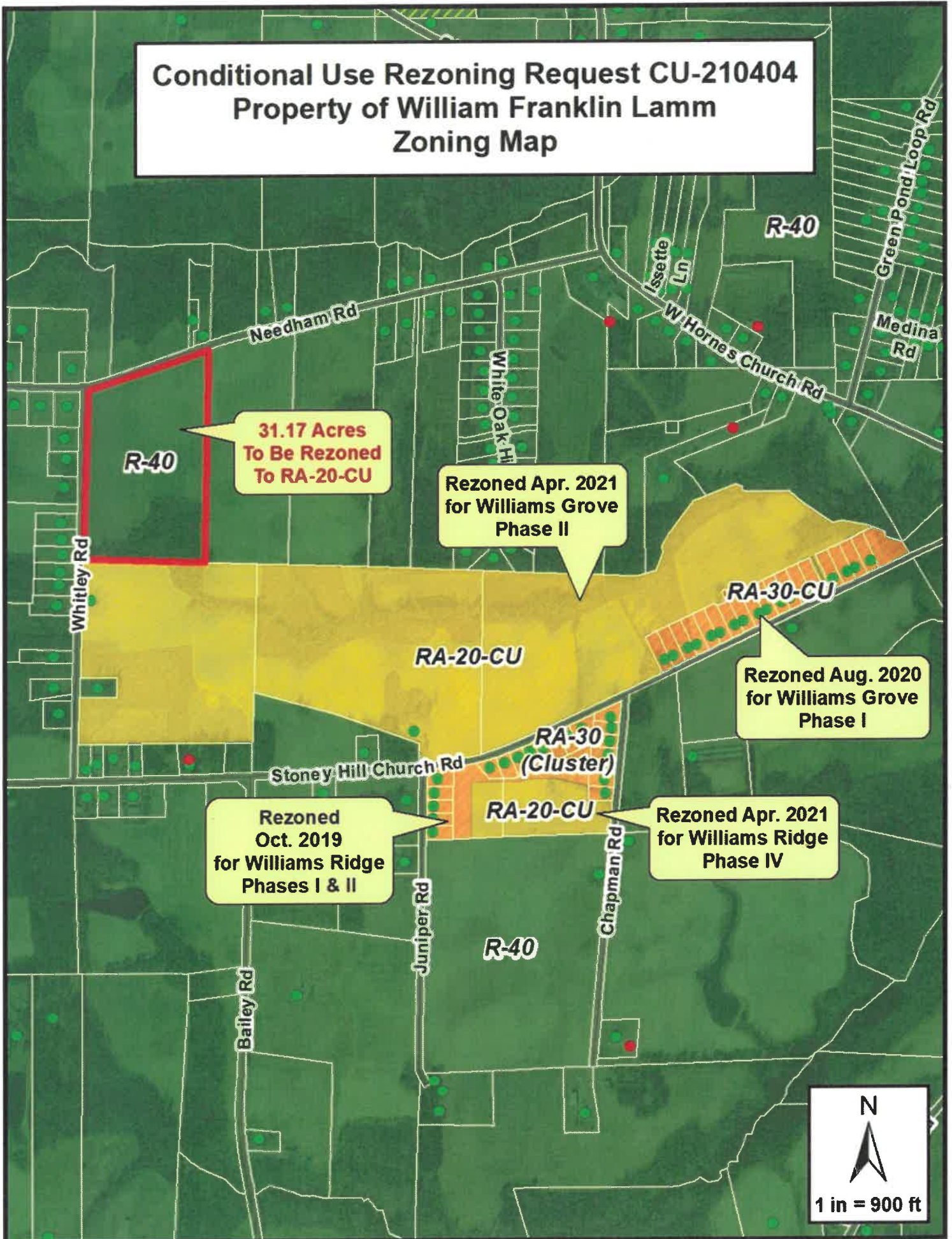
**Conditional Use Rezoning Request CU-210404  
Property of William Franklin Lamm  
Aerial Photograph**

**31.17 Acres  
To Be Rezoned  
From R-40  
To RA-20-CU  
For The  
Whitley Crossing  
Subdivision  
(53 Lots)**





**Conditional Use Rezoning Request CU-210404  
Property of William Franklin Lamm  
Zoning Map**





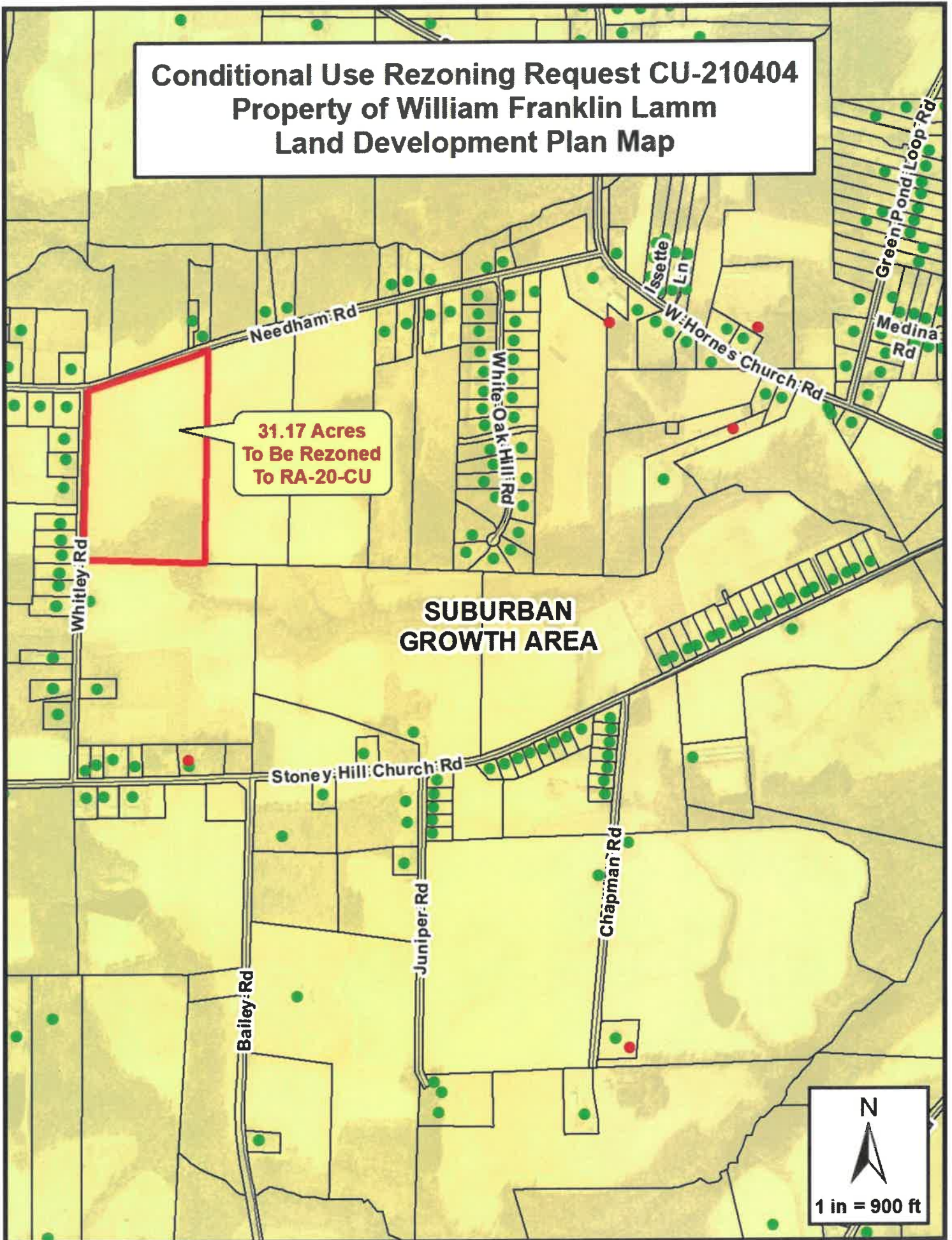
**Conditional Use Rezoning Request CU-210404**  
**Property of William Franklin Lamm**  
**Land Development Plan Map**

**31.17 Acres  
To Be Rezoned  
To RA-20-CU**

**SUBURBAN  
GROWTH AREA**

N

1 in = 900 ft









JB

**NASH COUNTY PLANNING BOARD**  
**MAJOR SUBDIVISION SKETCH PLAN**  
**STAFF REPORT**

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<b>Type of Plat:</b>	Major Subdivision Sketch Plan with Waiver Request
<b>Name of Plat:</b>	Creekside Manor Subdivision
<b>Property Owner / Developer:</b>	Barnes Land Corporation
<b>Land Surveyor / Engineer:</b>	Joyner Keeny, PLLC
<b>Location:</b>	Both Sides of Selma Rd & Hilliard Rd, Middlesex, NC 27557
<b>Tax ID #:</b>	PIN # 273300211658 / Parcel ID # 110836
<b>Total Development Area:</b>	71.11 Acres
<b>Number of Lots:</b>	55 New Residential Lots
<b>Road Improvements:</b>	2,958 Linear Feet of Proposed New Public Right-of-Way
<b>Water Supply:</b>	Individual Private Onsite Wells
<b>Wastewater Disposal:</b>	Individual Private Onsite Septic Systems
<b>Waiver Justification:</b>	Shared Driveway Access Easements
<b>Zoning District:</b>	R-40 (Single-Family Residential)
<b>LDP Classification:</b>	Suburban Growth Area & Surface Water Protection Area

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**Description of the Subject Property:**

The subject property is a 71.11-acre tract of land owned by Barnes Land Corporation and located on both sides of Selma Road and Hilliard Road, Middlesex, NC 27557 in the R-40 (Single-Family Residential) Zoning District. The property is south of the Town of Middlesex and very near to the Nash-Johnston County Line.

The property is currently undeveloped and mostly wooded. Sections 1-7 of the Creekside Manor Subdivision consisting of thirty-three (33) existing lots were previously subdivided from this same parcel and recorded from 1996 to 1999.

The site is located in the Neuse River Basin, but it is not located in a watershed protection overlay district. Small portions of the southern end of the tract are impacted by the 100-Year Floodplain as well as riparian stream buffers along Moccasin Creek and Shop Branch. Additionally, the City of Wilson has previously established a 3.62-acre conservation easement on the subject property along Moccasin Creek for water quality protection purposes.

No public water or sewer service is currently available in this area, so any future development of the subject property would utilize private individual onsite wells and septic systems.



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***Description of the Proposed Subdivision Sketch Plan:***

Joyner Keeny, PLLC has submitted a proposed sketch plan for the remainder of the Creekside Manor Subdivision on behalf of the property owner for the development of fifty-five (55) new residential lots on the subject property. Thirteen (13) lots will be accessed directly from Selma Road, five (5) lots will be accessed directly from Hilliard Road, and the other thirty-seven (37) lots will be accessed from three (3) proposed new interior roads.

All the proposed lots either meet or exceed the 40,000 square foot minimum lot area and 100 foot minimum lot width requirements of this R-40 Zoning District.

The design includes a cluster box unit (CBU) mailbox kiosk location as required by the U.S. Postal Service.

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***Description of the Subdivision Waiver Request:***

With the addition of these proposed new lots, Selma Road is now estimated to average over 1,000 vehicular trips per day as demonstrated below.

**Selma Road (State Road #1116)**

Latest NCDOT Published Annual Average Daily Traffic for Year 2019:	500
Estimated Additional 3% for Year 2020:	+15
Estimated Additional 3% for Year 2021:	+15
<u>50 Proposed New Creekside Manor Lots x 10 Additional Daily Trips Each:</u>	<u>+500</u>
<b>New Estimated Average Daily Traffic (ADT):</b>	<b>1,030</b>

UDO Article X, Section 10-7, Subsection 10-7.2 (F) requires either additional lot width for new residential lots subdivided with direct access to roads with over 1,000 estimated average vehicular trips per day for traffic safety purposes or the approval of a subdivision waiver by the Board of Commissioners based on a demonstration of a physical hardship or an alternative design that would provide equal or better performance.

Lots 37-49 are proposed to have direct access to Selma Road, however, they do not include the required additional lot width.

**Therefore, the developer has requested a waiver of the required additional lot width for these lots on the grounds that the proposed five (5) shared driveways will result in equal or better performance in the furtherance of the purposes of the Ordinance because it will ensure comparable separation distances between the proposed driveways for traffic**

**safety. (NOTE: Due to an uneven number of lots, individual driveways are proposed for Lots 39, 40, & 49.)**

If the waiver is denied, the developer would need to reduce the number of lots proposed with direct access to Selma Road in accordance with the standard requirements of the Ordinance.

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***TRC Recommendation:***

The Nash County Technical Review Committee (TRC) considered the Major Subdivision Sketch Plan for the Creekside Manor Subdivision on April 1, 2021 and recommended **APPROVAL** of the general design.

However, the TRC also noted that approval of the requested subdivision waiver would be **INCONSISTENT** with proposed Text Amendment Request A-210401 because it does not actually reduce the number of lots to be subdivided with direct access to the heavily traveled road.

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***Suggested Motion:***

*I move that the Nash County Planning Board recommends **APPROVAL or DENIAL (choose one)** of the subdivision waiver requested in relation to the Major Subdivision Sketch Plan for the Creekside Manor Subdivision to allow five (5) shared driveways and three (3) individual driveways along Selma Road instead of the additional lot width required by the Ordinance along roads with over 1,000 estimated average vehicular trips per day based on a determination that these driveways will result in equal or better performance in the furtherance of the purposes of the Ordinance.*

**Notes:**

- (1) All new road names proposed on the subdivision sketch plan shall be reviewed and approved by Nash County Emergency Services prior to their official assignment.
- (2) Any recorded final subdivision plat(s) depicting Lots 37-49 shall include the following subdivision waiver notation:

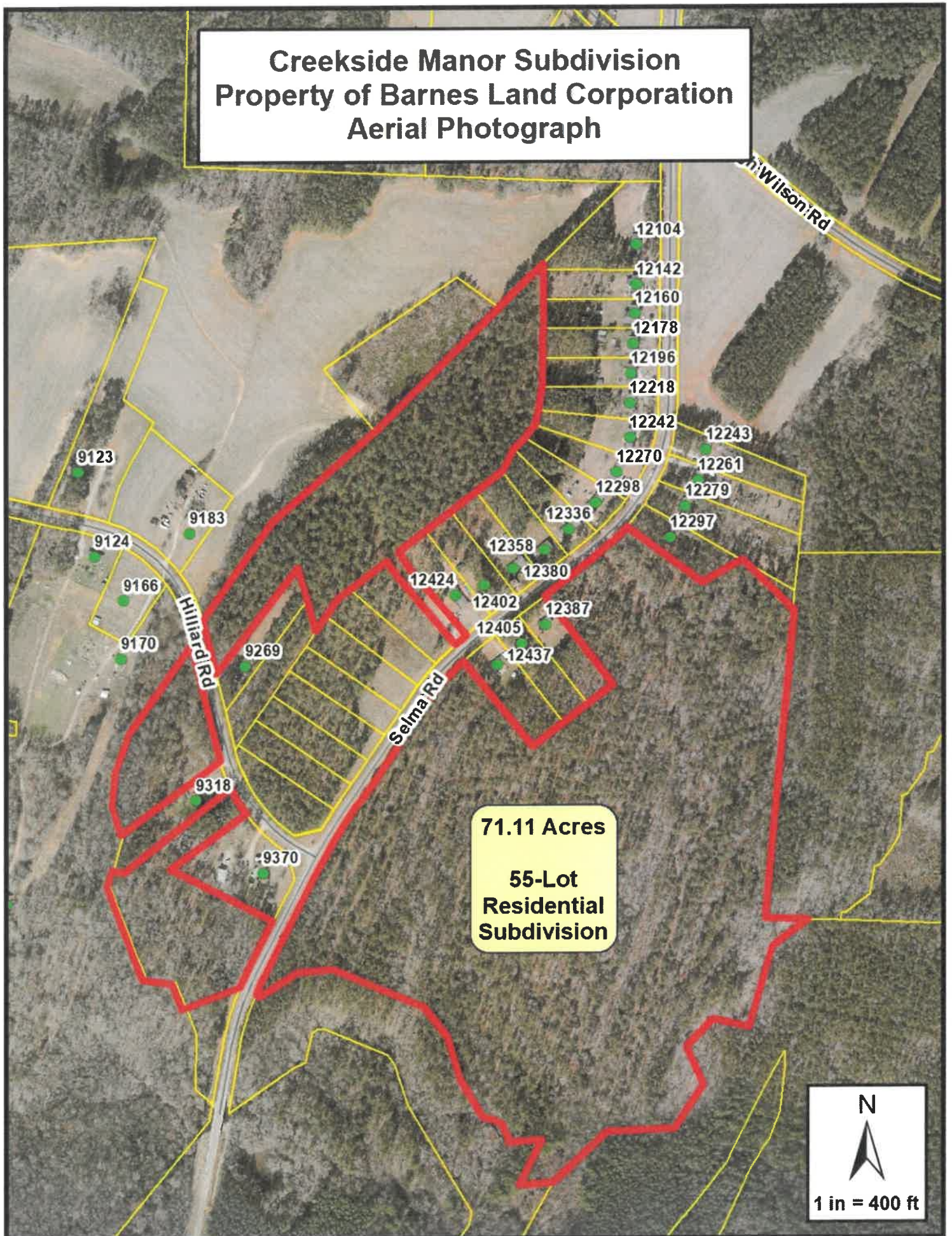
“This subdivision is approved subject to the waiver of the standards of the Nash County Unified Development Ordinance (UDO) Article X, Section 10-7, Subsection 10-7.2 (F) “Lots on Roads with Capacity Deficiencies” granted by the Nash County Board of Commissioners on May 3, 2021 on the grounds that the waiver will result in equal or better performance in the furtherance of the purposes of the Ordinance in accordance with UDO Article X, Section 10-8 “Waivers.” The lots depicted hereon with direct access to the Selma Road public right-of-way shall be restricted to the use of the private access easements for shared

driveways and individual driveways as specifically designated on this plat only and no additional driveways shall be permitted or constructed along the Selma Road public right-of-way."

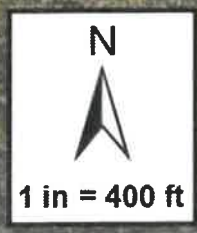
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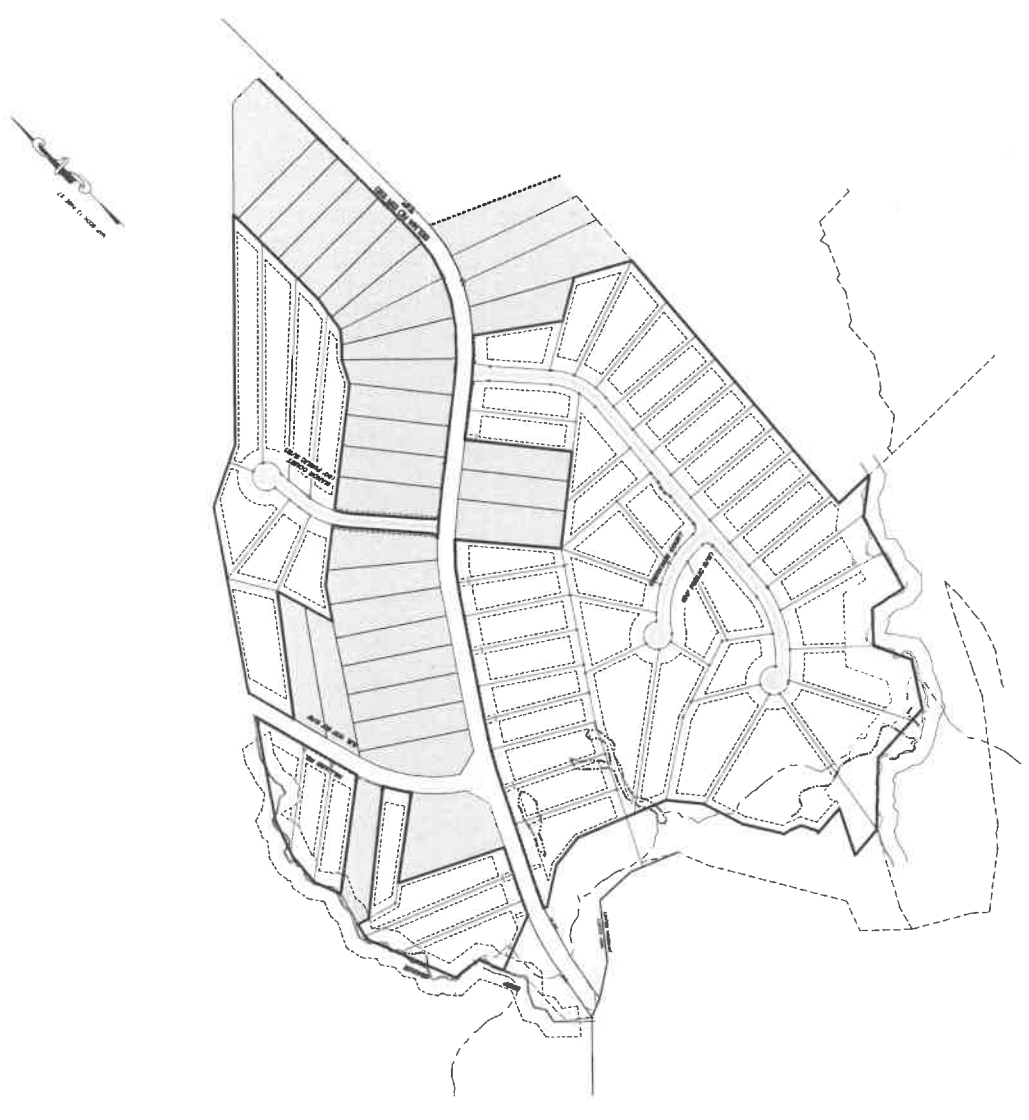
**Creekside Manor Subdivision  
Property of Barnes Land Corporation  
Aerial Photograph**



**71.11 Acres**  
**55-Lot**  
**Residential**  
**Subdivision**







NOTES:  
1. This plat is submitted for review only and does not constitute a final plat.  
2. The plat is subject to the provisions of the North Carolina Subdivision Map Act.  
3. The plat is subject to the provisions of the North Carolina Subdivision Map Act.  
4. The plat is subject to the provisions of the North Carolina Subdivision Map Act.  
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LEGEND	
Lot Lines	---
Proposed Improvements	---
Easements	---
Other	---
Notes	---
1. Lot Lines	---
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11. Lot Lines	---
12. Proposed Improvements	---
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15. Notes	---
16. Lot Lines	---
17. Proposed Improvements	---
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19. Other	---
20. Notes	---
21. Lot Lines	---
22. Proposed Improvements	---
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25. Notes	---
26. Lot Lines	---
27. Proposed Improvements	---
28. Easements	---
29. Other	---
30. Notes	---
31. Lot Lines	---
32. Proposed Improvements	---
33. Easements	---
34. Other	---
35. Notes	---
36. Lot Lines	---
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40. Notes	---
41. Lot Lines	---
42. Proposed Improvements	---
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97. Proposed Improvements	---
98. Easements	---
99. Other	---
100. Notes	---

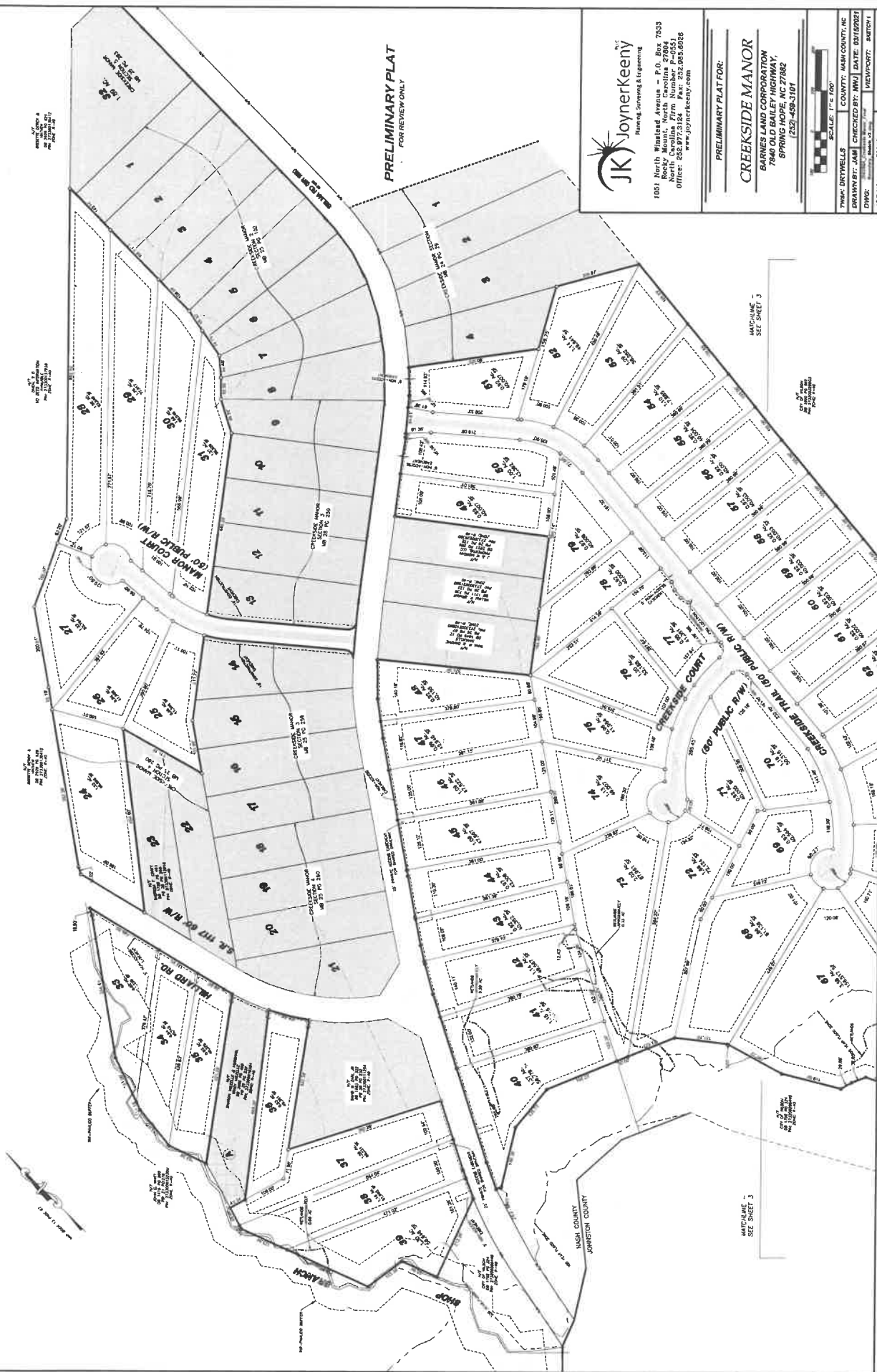
PRELIMINARY PLAT  
FOR REVIEW ONLY



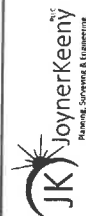
**JK JoynerKeeny**  
Planning, Surveying & Engineering  
1051 North Windward Avenue - P.O. Box 7533  
Rocky Mount, North Carolina 27804  
North Carolina Professional Surveyor License No. 15551  
Office: 252-277-3124  
www.jkjoynerkeeney.com

**SKETCH PLAN FOR:**  
**CREEKSIDE MANOR**  
BARNES LAND CORPORATION  
7800 CREEKSIDE MANOR DRIVE  
SPRING HOLE, NC 27882  
(252) 459-1101

SCALE: 1" = 200'  
TYPED: DRYWELLS  
COUNTY: KANAWHA COUNTY, WV  
DRAWN BY: JAM | CHECKED BY: JAM | DATE: 03/20/2021  
DWG: 200256A | SHEET NO: 1 of 3



PRELIMINARY PLAT



1051 North Winstead Avenue - P.O. Box 7533  
Rocky Mount, North Carolina 27804  
North Carolina Firm Number P-0551  
Office: 252.977.3124 Fax: 252.985.6026  
[www.joynckeeny.com](http://www.joynckeeny.com)

**PRELIMINARY PLAT FOR:**

**CREEKSIDE MANOR**  
BARNES LAND CORPORATION  
7840 OLD BAILEY HIGHWAY,  
SPRING HOPE, NC 27882  
(252) 459-3101



TWSR: DRYWELLS COUNTY: WASH COUNTY, NC  
 DRAWN BY: JAM CHECKED BY: NWJ DATE: 03/15/2021  
 DWG: 1/16" = 1' - 0" 1/8" = 1' - 0" 1/4" = 1' - 0" 1/2" = 1' - 0" 3/4" = 1' - 0" 1" = 1' - 0" 1 1/2" = 1' - 0" 2" = 1' - 0" 3" = 1' - 0" 4" = 1' - 0" 6" = 1' - 0" 8" = 1' - 0" 12" = 1' - 0" 18" = 1' - 0" 24" = 1' - 0" 36" = 1' - 0" 48" = 1' - 0" 60" = 1' - 0" 72" = 1' - 0" 84" = 1' - 0" 96" = 1' - 0" 108" = 1' - 0" 120" = 1' - 0" 144" = 1' - 0" 168" = 1' - 0" 192" = 1' - 0" 216" = 1' - 0" 240" = 1' - 0" 270" = 1' - 0" 300" = 1' - 0" 324" = 1' - 0" 360" = 1' - 0" 396" = 1' - 0" 432" = 1' - 0" 468" = 1' - 0" 504" = 1' - 0" 540" = 1' - 0" 576" = 1' - 0" 612" = 1' - 0" 648" = 1' - 0" 684" = 1' - 0" 720" = 1' - 0" 756" = 1' - 0" 792" = 1' - 0" 828" = 1' - 0" 864" = 1' - 0" 900" = 1' - 0" 936" = 1' - 0" 972" = 1' - 0" 1008" = 1' - 0" 1044" = 1' - 0" 1080" = 1' - 0" 1116" = 1' - 0" 1152" = 1' - 0" 1188" = 1' - 0" 1224" = 1' - 0" 1260" = 1' - 0" 1296" = 1' - 0" 1332" = 1' - 0" 1368" = 1' - 0" 1404" = 1' - 0" 1440" = 1' - 0" 1476" = 1' - 0" 1512" = 1' - 0" 1548" = 1' - 0" 1584" = 1' - 0" 1620" = 1' - 0" 1656" = 1' - 0" 1692" = 1' - 0" 1728" = 1' - 0" 1764" = 1' - 0" 1800" = 1' - 0" 1836" = 1' - 0" 1872" = 1' - 0" 1908" = 1' - 0" 1944" = 1' - 0" 1980" = 1' - 0" 2016" = 1' - 0" 2052" = 1' - 0" 2088" = 1' - 0" 2124" = 1' - 0" 2160" = 1' - 0" 2196" = 1' - 0" 2232" = 1' - 0" 2268" = 1' - 0" 2304" = 1' - 0" 2340" = 1' - 0" 2376" = 1' - 0" 2412" = 1' - 0" 2448" = 1' - 0" 2484" = 1' - 0" 2520" = 1' - 0" 2556" = 1' - 0" 2592" = 1' - 0" 2628" = 1' - 0" 2664" = 1' - 0" 2700" = 1' - 0" 2736" = 1' - 0" 2772" = 1' - 0" 2808" = 1' - 0" 2844" = 1' - 0" 2880" = 1' - 0" 2916" = 1' - 0" 2952" = 1' - 0" 2988" = 1' - 0" 3024" = 1' - 0" 3060" = 1' - 0" 3096" = 1' - 0" 3132" = 1' - 0" 3168" = 1' - 0" 3204" = 1' - 0" 3240" = 1' - 0" 3276" = 1' - 0" 3312" = 1' - 0" 3348" = 1' - 0" 3384" = 1' - 0" 3420" = 1' - 0" 3456" = 1' - 0" 3492" = 1' - 0" 3528" = 1' - 0" 3564" = 1' - 0" 3600" = 1' - 0" 3636" = 1' - 0" 3672" = 1' - 0" 3708" = 1' - 0" 3744" = 1' - 0" 3780" = 1' - 0" 3816" = 1' - 0" 3852" = 1' - 0" 3888" = 1' - 0" 3924" = 1' - 0" 3960" = 1' - 0" 3996" = 1' - 0" 4032" = 1' - 0" 4068" = 1' - 0" 4104" = 1' - 0" 4140" = 1' - 0" 4176" = 1' - 0" 4212" = 1' - 0" 4248" = 1' - 0" 4284" = 1' - 0" 4320" = 1' - 0" 4356" = 1' - 0" 4392" = 1' - 0" 4428" = 1' - 0" 4464" = 1' - 0" 4500" = 1' - 0" 4536" = 1' - 0" 4572" = 1' - 0" 4608" = 1' - 0" 4644" = 1' - 0" 4680" = 1' - 0" 4716" = 1' - 0" 4752" = 1' - 0" 4788" = 1' - 0" 4824" = 1' - 0" 4860" = 1' - 0" 4896" = 1' - 0" 4932" = 1' - 0" 4968" = 1' - 0" 5004" = 1' - 0" 5040" = 1' - 0" 5076" = 1' - 0" 5112" = 1' - 0" 5148" = 1' - 0" 5184" = 1' - 0" 5220" = 1' - 0" 5256" = 1' - 0" 5292" = 1' - 0" 5328" = 1' - 0" 5364" = 1' - 0" 5400" = 1' - 0" 5436" = 1' - 0" 5472" = 1' - 0" 5508" = 1' - 0" 5544" = 1' - 0" 5580" = 1' - 0" 5616" = 1' - 0" 5652" = 1' - 0" 5688" = 1' - 0" 5724" = 1' - 0" 5760" = 1' - 0" 5796" = 1' - 0" 5832" = 1' - 0" 5868" = 1' - 0" 5904" = 1' - 0" 5940" = 1' - 0" 5976" = 1' - 0" 6012" = 1' - 0" 6048" = 1' - 0" 6084" = 1' - 0" 6120" = 1' - 0" 6156" = 1' - 0" 6192" = 1' - 0" 6228" = 1' - 0" 6264" = 1' - 0" 6300" = 1' - 0" 6336" = 1' - 0" 6372" = 1' - 0" 6408" = 1' - 0" 6444" = 1' - 0" 6480" = 1' - 0" 6516" = 1' - 0" 6552" = 1' - 0" 6588" = 1' - 0" 6624" = 1' - 0" 6660" = 1' - 0" 6696" = 1' - 0" 6732" = 1' - 0" 6768" = 1' - 0" 6804" = 1' - 0" 6840" = 1' - 0" 6876" = 1' - 0" 6912" = 1' - 0" 6948" = 1' - 0" 6984" = 1' - 0" 7020" = 1' - 0" 7056" = 1' - 0" 7092" = 1' - 0" 7128" = 1' - 0" 7164" = 1' - 0" 7200" = 1' - 0" 7236" = 1' - 0" 7272" = 1' - 0" 7308" = 1' - 0" 7344" = 1' - 0" 7380" = 1' - 0" 7416" = 1' - 0"

JOB NO:	200258A	SHEET NO:	2 of 3
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